

The Daily Bulletin: 2023-03-29

PUBLIC/HOUSE BILLS

H 48 (2023-2024) [DELAY EFFECTIVE DATE OF APPRAISAL BOARD RULES. \(NEW\)](#) Filed Feb 2 2023, *AN ACT TO DELAY THE EFFECTIVE DATE OF RULES ADOPTED BY THE APPRAISAL BOARD SUBJECT TO LEGISLATIVE REVIEW.*

House committee substitute to the 1st edition makes the following changes.

Instead of disapproving the specified rules, delays their effective dates until December 31, 2025. Makes conforming changes, including amending the act's titles.

Intro. by Howard, K. Hall, Biggs, Saine.

[UNCODIFIED](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, APA/Rule Making](#)

H 76 (2023-2024) [ACCESS TO HEALTHCARE OPTIONS.](#) Filed Feb 8 2023, *AN ACT TO PROVIDE NORTH CAROLINA CITIZENS WITH GREATER ACCESS TO HEALTHCARE OPTIONS.*

AN ACT TO PROVIDE NORTH CAROLINA CITIZENS WITH GREATER ACCESS TO HEALTHCARE OPTIONS. SL 2023-7. Enacted March 27, 2023. Effective March 27, 2023, except as otherwise provided.

Intro. by Lambeth, White, Wray, Humphrey.

[APPROP, GS 108A, GS 131E, GS 143C](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, UNC System, Department of Commerce, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Social Services, Public Assistance](#)

H 98 (2023-2024) [MEDICAL FREEDOM ACT.](#) Filed Feb 13 2023, *AN ACT PROHIBITING STATE AGENCIES, LOCAL GOVERNMENTS, AND POLITICAL SUBDIVISIONS OF THE STATE FROM DISCRIMINATING AGAINST PERSONS BASED ON THEIR REFUSAL TO PROVIDE PROOF OF A COVID-19 VACCINATION, OR TO SUBMIT TO A COVID-19 VACCINATION, UNLESS THE VACCINATION IS REQUIRED AS A CONDITION NECESSARY TO RECEIVE FEDERAL FUNDING, IS A FEDERAL REQUIREMENT OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS), OR IS REQUIRED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF STATE OPERATED HEALTHCARE FACILITIES.*

House committee substitute to the 2nd edition makes the following changes. Amends new GS 130A-158.3 (prohibiting COVID-19 vaccination requirements and setting forth certain exemptions) to clarify that neither a State nor local public health official may require proof of COVID-19 vaccination unless certain exemptions apply. (Previously, act just referred to a public health official.) Amends the effective date so that new GS 143-162.6 applies to employment actions taken on or after January 1, 2024.

Intro. by Biggs, Hardister, N. Jackson, Lambeth.

[GS 115C, GS 116, GS 130A, GS 143, GS 153A, GS 160A](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Education](#), [Elementary and Secondary Education](#), [Higher Education](#), [Government](#), [State Agencies](#), [Community Colleges System Office](#), [UNC System](#), [Department of Health and Human Services](#), [State Government](#), [State Personnel](#), [Local Government](#), [Health and Human Services](#), [Health](#), [Public Health](#)

H 205 (2023-2024) [TRANSPARENT GOVERNANCE & INTEGRITY ACT.-AB](#) Filed Feb 23 2023, *AN ACT PROVIDING FOR GREATER TRANSPARENCY IN AND MAINTENANCE OF STATE AND LOCAL GOVERNMENT FINANCIAL MATTERS.*

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

Deletes the changes to GS 159B-39, which authorized uses of revenue from electric power rates, by making the statute applicable to a joint agency instead of specified cities and towns that are members of a municipal power agency.

Deletes the changes to GS 159-12 related to the filing and publication of the local government's budget.

Makes technical changes to GS 160A-89.

Intro. by Penny, Winslow.

[GS 115C](#), [GS 132](#), [GS 143](#), [GS 147](#), [GS 153A](#), [GS 159](#), [GS 159B](#), [GS 160A](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Education](#), [Elementary and Secondary Education](#), [Employment and Retirement](#), [Government](#), [Public Records and Open Meetings](#), [State Agencies](#), [Department of Revenue](#), [Department of State Treasurer](#), [State Government](#), [Executive](#), [Tax](#), [Local Government](#), [Public Enterprises and Utilities](#)

H 365 (2023-2024) [REQUIRE THAT JURORS BE US CITIZENS.](#) Filed Mar 14 2023, *AN ACT TO REQUIRE THAT JURORS IN NORTH CAROLINA BE CITIZENS OF THE UNITED STATES.*

House committee substitute to the 1st edition makes the following changes. Amends the effective date removing language specifying that the act applies to jurors empaneled on or after the act becomes law so that the act simply is effective when it becomes law.

Intro. by Cleveland, Crutchfield, Carson Smith, Sossamon.

[GS 9](#)

[View summary](#)

[Courts/Judiciary](#), [Court System](#)

H 377 (2023-2024) [GRADE "A" DAIRY ASSESSMENT ACT.](#) Filed Mar 15 2023, *AN ACT TO ESTABLISH A VOLUNTARY ASSESSMENT FOR GRADE "A" DAIRY PRODUCERS.*

House committee substitute to the 1st edition makes the following changes. Amends the definition of *dairy producer* in GS 106-812.2 to a resident who produces *Grade "A" milk*, as defined, for commercial sale and holds a Grade "A" milk permit from the Department (the NC Department of Agriculture and Consumer Services). (Was, a person involved in the production of Grade "A" milk, and no permit requirement.) Amends GS 106-816.5(b) (pertaining to refunds of the assessment) to require that any dairy farmer requesting a refund first request a refund form from the NC Dairy Farmers Association (Association). Charges the Association with determining the contents of the form. Requires the Association to provide any farmer with the

form within one week of receiving the request. Now allows the farmer to submit the request on that form between December 15 and December 31. (Was, just a request in writing to the Association postmarked by December 31.)

Intro. by McNeely, Saine, N. Jackson, Biggs.

[GS 106](#)

[View summary](#)

[Agriculture, Government, State Agencies, Department of Agriculture and Consumer Services](#)

H 422 (2023-2024) [UNFAIR REAL ESTATE AGREEMENTS ACT](#). Filed Mar 21 2023, *AN ACT TO PROHIBIT UNFAIR REAL ESTATE SERVICE AGREEMENTS FOR RESIDENTIAL REAL ESTATE*.

House committee substitute to the 1st edition makes the following changes.

Amends new GS 93A-85.1 as follows. Changes the definitions to delete defined term *agent* and amends the substance of the definitions of *residential real estate* and *service provider*. Removes capitalization requirements for *real estate service agreement*, *residential real estate*, and *service provider*. Adds new defined term *unfair real estate service agreement*.

Amends new GS 93A-85.2 as follows. Reorganizes the following provisions of GS 93A-85.4 into the statute: (1) language specifying that unfair real estate agreements are void, in addition to being unfair and (2) the bar on reimbursements for service providers in connection with an unfair real estate service agreement. Reorganizes the exemptions originally set forth in new GS 93A-85.3 into a subsection of GS 93A-85.2. Makes technical and organizational changes.

Makes organizational changes, renumbering GS 93A-85.6 (prohibiting recording) to GS 93A-85.3 and GS 93A-85.5 (pertaining to deceptive acts) to GS 93-85.4. Deletes proposed GS 93A-85.7 (pertaining to right of recovery).

Amends new GS 93A-85.3 (prohibiting recording) to specify that any recording of an unfair real estate service agreement constitutes a Class I felony (filing a false lien or encumbrance) under GS 14-118.6(a). Adds new subsection GS 93A-85.3(d), pertaining to right of recovery for persons with an interest in residential real estate identified by a recording that is void because of an unfair real estate service agreement. Allows such persons to recover damages, costs, and attorney's fees that may be proved against the service provider named in the unfair real estate service agreement. Specifies that any actual damages, costs, and attorney's fees that are proved against the service provider will not be offset by the consideration paid by the service provider to the owner or buyer of the residential real estate.

Makes technical changes to have terms adhere to the capitalization conventions of the amended terms.

Intro. by K. Hall, Miller, Blackwell, Alston.

[GS 6, GS 93A](#)

[View summary](#)

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

H 512 (2023-2024) [FORGIVABLE LOANS/HBCU SUPPLEMENTAL FUNDING](#). Filed Mar 28 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY COLLEGE FORGIVABLE LOAN PROGRAM AND TO PROVIDE FOR RECURRING SUPPLEMENTAL APPROPRIATIONS TO NORTH CAROLINA HISTORICALLY BLACK UNIVERSITIES AND COLLEGES THROUGH THE REGULATION OF VIDEO GAMING ENTERTAINMENT*.

Enacts new Article 9, Video Gaming Terminals in GS Chapter 18C, providing as follows.

Part 1, General Provisions

Sets out and defines terms as they are used in Article 9. Defines video gaming terminal as a device operated under the authority of the North Carolina State Lottery Commission (Commission) that is exempt under GS 14-306.1A (setting out the types of machines and devices prohibited by law) and is any electronic computerized video game machine that, upon the insertion of cash or a lottery share, is available to play a video gaming game authorized by the Commission and which uses a video display and microprocessors in which, by chance, the player may receive free games or credits that can be redeemed for cash; excludes

a device that directly dispenses coins, cash, or tokens. Defines video gaming games as electronically simulated games of chance that are displayed and played on permitted video gaming terminals and approved by the Commission. Defines operator as a person licensed by the Commission who owns, leases, or otherwise controls a video gaming terminal for which a video gaming terminal permit has been issued by the Commission and places those video gaming terminals or associated equipment for public use in the State. Defines video gaming merchant as a person licensed by the Commission and with whom an operator has contracted to allow placement of video gaming terminals for public play and redemption of shares of video gaming games in accordance with this Article.

Requires the Commission to determine that video gaming games are a type of lottery game in this State and requires contracting with operations and video gaming merchants to operate video gaming games for play by the public. Deems the playing of video gaming games a share (any method of participation in a lottery game, other than by a ticket purchased on an equivalent basis with a ticket) for the purposes of GS Chapter 18C, exempt from GS 18C-131(c), which sets the minimum retail price of each ticket or share in any lottery game at 50¢. Requires playing to be only on video gaming terminals that have a valid video gaming terminal permit. Requires the Commission to adopt rules to determine play of video gaming games that address procedures for monitoring, collection, and remittance of net machine revenue from the games, in conformity with the following: (1) transfers no less than 32% of the total net machine revenues to the new North Carolina Video Gaming Fund, with the requirement that the Commission adopt rules on specified issues and allowing the Commission to adopt rules to set a minimum percentage of annual revenue to be returned to the public in the form of prizes; (2) requires any monies unused by the Commission after covering administrative expenses to be transferred to the North Carolina Video Gaming Fund and prohibits allocating more than 8% of the total for the Commission's annual administrative expenses; (3) allocates 35% of the net machine revenues to operators and 25% to video gaming merchants; (4) requires connecting video gaming terminals and associated equipment to a central monitoring system at all times during play and as otherwise determined by the Commission; (5) requires all video gaming terminals to be placed with a video gaming merchant who holds an active off-site ABC permit or an active on-site ABC permit and prohibits a video gaming merchant from being engaged primarily in the business of placing video gaming terminals for play by the public in this State; (6) allows each video gaming merchant to operate up to six video gaming terminals per location and allows the Commission to allow up to an additional four terminals per location; (7) requires, in contracting with operators, that no video gaming terminals be placed within 500 feet of a church, public school, or any nonpublic school; (8) requires prizes to be issued by a share that is redeemable in accordance with GS 18C-132 (setting out procedures for lottery drawings and claiming prizes; payment of prizes; protection of information concerning certain prize winners) or may be inserted into video gaming terminals to generate credits for the play of video gaming games; (9) allows the Commission to contract only with manufacturers and operators licensed under this Article; and (10) allows operators placing video gaming terminals for play in this State to only (a) purchase, lease, or otherwise obtain video gaming terminals and associated equipment from manufacturers licensed under this Article, and (b) contract with licensed video gaming merchants for placement of video gaming terminals for play by the public. Gives the Department of Public Safety, Alcohol Law Enforcement Division, enforcement authority under this Article.

Establishes the North Carolina Video Gaming Fund (Fund) in the State treasury that consists of the transfer of net machine revenues as described above, any money remaining from the Commission's administrative expenses, and any interest earned on those funds. Requires the NCGA to appropriate money in the Fund annually in the Appropriations Act based on estimates of net machine revenue from video gaming terminals to the Fund. Requires the annual appropriation to include: (1) \$2 million each fiscal year to the following to improve graduation rates and student success or the sustainability of the institution—Elizabeth City State University, Fayetteville State University, North Carolina Agricultural and Technical State University, North Carolina Central University, Winston-Salem State University, and UNC-Pembroke; (2) \$10 million each fiscal year to independent historically black colleges and universities in NC for grants of up to \$2 million per institution for improving graduation rates and student success; (3) an amount to the State Education Assistance Authority each fiscal year that is sufficient to fund scholarship forgivable loans for eligible students under the new Community College Scholarship Loan Program (expires June 30, 2027); and (4) \$1 million each fiscal year to the Department of Public Safety for grants to counties for sheriffs to combat illegal gaming, awarded upon recommendation of the Governor's Crime Commission. Requires constituent institutions receiving appropriations or a grant to report annually to the specified NCGA committed on how the funds were used.

Part 2. Licenses and Permits

Requires a video gaming terminal permit to be affixed to every video gaming terminal, representing that the machine has been registered, inspected, and approved for operation. Requires the Commission to issue video gaming terminal permits annually based on the number of approved terminals registered with the Commission per licensed operator. Requires the Commission to

adopt rules for the schedule for issuing and affixation of the permit; allows the option for a licensed operator or licensed video gaming merchant to ask to add video gaming terminals during the license year. Makes it illegal for anyone other than authorized Commission personnel to affix or remove a permit. Requires the terminal and associated equipment's software and hardware to be compatible with the Commission's central monitoring system and requires the games installed on the video gaming terminal to be approved by the Commission before a permit may be issued. Terminals that do not display the permit are illegal and subject to confiscation.

Requires a license to manufacture, operate or serve, or place for play by the public any video gaming terminal. Sets out qualifications for licensure as well as disqualifications for licensure. Requires a background check of the applicant, including each partner, director, officer, and all stockholders of 5% or more of any business entity, except for institutional investors. Prohibits a licensee or applicant to be a licensee from paying, giving, or making any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service, to the Director of the North Carolina State Lottery (Director), to any Commission member or employee, or to any member of the immediate family residing in the same household as one of these individuals. Prohibits an operator from giving anything of value, including a loan or a financing arrangement, to any video gaming merchant as an incentive or inducement to locate video gaming terminals in a specific location. Requires the Commission to adopt additional rules governing the exchange of gifts, loans and other financing arrangements, gratuities, special discounts, favors, hospitality, or service between licensees. Allows licenses to be revoked for cause.

Caps the fee that may be charged for a license application for renewal at \$250 and allows charging the cost of the criminal and financial record check. Allows license to be transferred or assigned.

Allows a manufacturer to be licensed as an operator and an operator as a manufacturer. Prohibits a video gaming merchant from being licensed as a manufacturer or operator and prohibits a manufacturer or operator from being licensed as a video gaming merchant. Sets out requirements to be met when contracting for a central monitoring system. Requires the Commission to strive to have no less than five manufacturers licensed and no less than 12 operators licensed in the State at all times.

Sets out duties of video gaming license holders including reporting and recording keeping requirements.

Part 3. Video Gaming Terminals

Requires video gaming terminals to have a terminal permit and be placed with a video gaming merchant for play. Requires Operators to provide the Commission with the location of each terminal and information on the merchants where the terminals are located. Requires game software to be certified by an independent testing lab. Prohibits the Commission from limiting licensure or connection to the central monitoring system to one type of gaming terminal, one manufacturer, or one operator.

Requires the Commission to contract for a central monitoring system from a supplier of central monitoring systems. Sets out requirements for the central monitoring system.

Makes it a Class 1 misdemeanor to sell a share for play of a video gaming terminal to a person under the age 21 or for a person under age 21 to purchase a share for play of a video gaming terminal or otherwise play a video gaming terminal. Prohibits video gaming terminals from allowing more than the amount set by the Commission to be played in a single wager. Requires the odds of winning to be posted on or near each terminal.

Requires a person transporting a video gaming terminal from one gaming merchant's establishment to another location, to give written notice to the Commission before transporting the terminal.

Part 4. Enforcement

Gives the Commission sole administrative authority of this Article.

Provides that to procure evidence of violations of this Article, alcohol law enforcement agents, Commission employees, and officers of local law enforcement agencies that have contracted to provide ABC enforcement have authority to investigate the establishment of a video gaming merchant, operator, or a manufacturer to make inspections. Makes refusal by a licensee, or their employee, to permit officers to enter the premises to make an inspection a cause for action against the licensee, including license revocation or suspension. Makes it a Class 2 misdemeanor for any person to resist or obstruct an officer attempting to make a lawful inspection. Requires reporting on inspections to the Commission.

Makes it a Class 1 misdemeanor to tamper with a video gaming terminal with the intent to interfere with the terminal's proper operation, with penalty increased to a Class H felony for a second offense, and a Class G felony for a third or subsequent

offense. Makes it Class G felony to, with the intent to manipulate the outcome, payoff, or operation of a video gaming terminal, manipulate the outcome, payoff, or operation of a video gaming terminal by physical tampering or any other means, with subsequent offenses a Class F felony. Makes it a Class G felony for a video gaming merchant or operator to falsely report or fail to report the amount due required by the Commission, also subject to license revocation. Makes it a Class G felony for a video gaming merchant who pays a prize to any person in the amount less than the specified prize won, also subject to license revocation.

Makes conforming changes to GS 18C-103, GS 18C-161, GS 14-306.1A, GS 14-306.4, and GS 105-259.

Amends GS 18C-120 to give the Director the power to engage an independent firm experienced in security procedures to conduct a study and evaluation of all aspects of security in the operation of the video gaming terminals; sets out what is to be included in the security assessment.

Amends GS 18C-122 to allow the Commission to hear any report on lottery network vulnerability or application vulnerability that could be used to provide an unfair advantage to a player or jeopardize the integrity of any lottery game; exempts those reports from public records under GS Chapter 132.

The above provisions are effective January 1, 2024.

Enacts new GS 105-102.7 imposing the following privilege taxes: (1) \$50,000 for manufacturers; (2) \$25,000 plus \$150 per video gaming terminal for operators; and (3) \$1,000 per retail location plus \$150 per video gaming terminal in each location for video gaming merchants. Effective for taxes imposed for taxable years beginning on or after July 1, 2024.

Amends GS 14-298, concerning the seizure of illegal gaming items, as follows. Requires the owner to pay the costs of storage and disposal when the court enters an order releasing a seized item to the law enforcement agency for destruction or training purposes. Adds that if the item was seized as evidence in a criminal action or proceeding against the owner of the item, upon any plea of guilty or nolo contendere in that action or proceeding by the item's owner, the court must order the owner to pay the reasonable costs of storage and disposal incurred by the seizing law enforcement agency. Amends GS 14-299 to make any vehicle used to transport any video game machine prohibited by GS 14-306 (slot machine or device) or GS 14-306.1A (specified types of machines prohibited), or any electronic machine or device prohibited by GS 14-306.4 (prohibiting electronic machines and devices for sweepstakes), liable to be seized. Amends GS 14-306.4, which prohibits electronic machines and devices for sweepstakes, by specifying that each game console, play station, or other access point allowing a person to operate a slot machine is a separate machine or device. Applies to offenses committed on or after December 1, 2023.

Adds new Part 7, Community College Scholarship Loan Program, to Article 23 of GS Chapter 116. Establishes the Community College Scholarship Loan Program (Program) to provide scholarship forgivable loans to NC residents to attend community colleges in pursuit of an associate degree, diploma, or certificate and for those students to be eligible for forgiveness of the scholarship forgivable loans if the degree, diploma or certificate is awarded within six years. Requires using the funds from the Community College Scholarship Loan Trust Fund (Loan Fund) to award scholarship forgivable loans to eligible students for up to six academic years, to be used for tuition and fees. Requires the amount of a student's scholarship forgivable loan to be reduced by the amount of grants or scholarships received from other State or federal sources. Allows the use of a lottery process to award the loans if there are insufficient funds to provide one to every eligible applicant. Sets out student eligibility requirements.

Establishes the Fund consisting of: (1) net revenues transferred from the North Carolina Gaming Fund, (2) funds received as repayment of scholarship forgivable loans, and (3) interest earned on those amounts. Requires funds from the Loan Fund to be used only for scholarship forgivable loans under the Program.

Caps interest on the loans at 10%. Sets out conditions under which the loans are forgiven as well as conditions under which the loan must be repaid. Sets out the time period for repayment of the loan.

Requires the State Education Assistance Authority to report annually, beginning in 2024, to the specified NCGA committee on the implementation of the Program, including the specified information.

Makes Part 7 effective January 1, 2024, applicable beginning with scholarship forgivable loans awarded for the 2024-25 academic year.

Amends GS 105-153.5 to allow a taxpayer to deduct from their adjusted gross income the amount forgiven under the Program. Effective for taxable years beginning on or after January 1, 2024.

Requires the North Carolina State Lottery Commission to use sufficient funds from the North Carolina State Lottery Fund to cover initial operating expenses of the Commission to implement new Article 9, but caps the total amount borrowed by the Commission at \$14 million. Requires \$4 million of those funds to be transferred to the Department of Public Safety, Alcohol Law Enforcement Division, for enforcement of this act, with the remainder available for expenditure for the purposes set forth in this act without further action by the NCGA. Requires that funds be repaid within 24 months after the act's effective date.

Allows the Commission to begin rulemaking to implement Article 9 before January 1, 2024, but no temporary or permanent rule can become effective before January 1, 2024. Allows the Commission to initiate requests for proposals for the central monitoring system before January 1, 2024, but prohibits awarding a contract before that date. Allows the Commission to accept and issue applications for licensure under Article 9, but prohibits a license from becoming prior to January 1, 2024, or on the date the Commission deems the central monitoring system active, whichever occurs later. 35 G.S. 18C-204(b)(3), as enacted by this act, expires June 30, 2027.

Intro. by Warren.

[GS 14, GS 18C, GS 105, GS 116](#)

[View summary](#)

[Alcoholic Beverage Control, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Higher Education, Government, State Agencies, Community Colleges System Office, Tax, Lottery and Gaming](#)

H 515 (2023-2024) [FUNDS FOR CAMDEN CO. SHERIFF'S OFFICE](#). Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE CAMDEN COUNTY SHERIFF'S OFFICE*.

Appropriates \$108,784 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to Camden County to be used by the Sheriff's Office for specified vehicle purchases. Effective July 1, 2023.

Intro. by Ward.

[APPROP, Camden](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Office of State Budget and Management](#)

H 516 (2023-2024) [FUNDS FOR HISTORIC MORGAN SCHOOL](#). Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE AND UPFIT OF THE HISTORIC MORGAN SCHOOL IN CHARLOTTE AND TO SUPPORT VARIOUS COMMUNITY-BASED PROGRAMS TO BE HELD AT THE SCHOOL*.

Appropriates \$4.9 million for 2023-24 from the General Fund to the Office of State Budget and Management to provide a directed grant to Preservation NC to purchase and upfit the historic Morgan School.

Also appropriates \$2 million for 2023-24 from the General Fund to the Office of State Budget and Management to provide a directed grant to The Cherry Community Organization to provide programs at the historic Morgan School.

Effective July 1, 2023.

Intro. by Alexander.

[APPROP, Mecklenburg](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Office of State Budget and Management](#)

H 517 (2023-2024) [LIABILITY PROTECTION/DISPOSAL OF REMAINS](#). Filed Mar 29 2023, *AN ACT TO ESTABLISH IMMUNITY FROM CIVIL LIABILITY FOR FUNERAL DIRECTORS UNDER THE LAWS REGULATING THE PRACTICE OF FUNERAL SERVICE*

AND TO ALLOW EMBALMING OR CREMATION OF HUMAN REMAINS RELATED TO COMMUNICABLE DISEASES REGARDLESS OF THE FINAL DISPOSITION OF THE REMAINS.

Enacts GS 90-210.29C, which exempts from liability any person licensed to practice funeral service, funeral directing, or embalming and persons and corporate entities issued a permit under the following circumstances: (1) refusal to accept or dispose of a dead human body until the person or entity receives a court order if the person or entity is aware of any dispute concerning the disposition of human remains or the person or entity has a reasonable basis to question whether the individual seeking to dispose of the dead human body has the statutory authority to do so and (2) if those persons or entities dispose of a dead human body in line with any court order not stayed or enjoined or if they dispose of the body in line with the requirements of State law. Clarifies that the limitation on liability does not apply to dispositions enacted under a preneed funeral contract. Further clarifies that the limitation of liability set forth above is in addition to the limitations on liability related to cremation set forth in GS 210.131. Emphasizes that nothing in this section or under GS 90-210.131 may be interpreted to limit the authority of the North Carolina Board of Funeral Service to suspend, revoke, refuse to issue or renew, place on probation, assess a civil penalty against, or seek injunctive relief against any person or entity, regardless of the person or entity's licensure or permit status.

Amends GS 90-210.129 (cremation procedures) to allow funeral establishments to embalm or cremate human remains if the death was the result of an infectious, contagious, or communicable and dangerous disease as listed by the Commission for Public Health, regardless of the final disposition of the remains.

Intro. by Alexander.

GS 90

[View summary](#)

Health and Human Services, Health, Public Health

H 518 (2023-2024) **EQUALITY FOR ALL**. Filed Mar 29 2023, *AN ACT TO PROTECT ALL NORTH CAROLINIANS AGAINST DISCRIMINATION IN ALL WALKS OF LIFE*.

Part I. Housing

Amends GS 41A-4, which delineates unlawful discriminatory housing practices, to refer to the protected status of another person as the basis for unlawful discrimination instead of listing specific protected classes (currently, race, color, religion, sex, national origin, handicapping condition, or familial status). Adds protected status to the defined terms in GS 41A-3 and defines the term to mean a person's race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Makes conforming changes to use a person's protected status language to replace specific classes of persons throughout GS 41A-4 and GS 41A-5 (concerning proof of a violation of GS 41A-4).

Amends GS 41A-6, which exempts from GS 41A-4 [except for subdivision (a)(6)] religious institutions and organizations operated by religions institutions or organizations that give preference to members of the same religion in a real estate transaction, so long as membership in that religion is not restricted by a protected status, other than religion (previously, specified race, color, sex, national origin, handicapping condition or familial status).

Part II. Employment

Amends GS 143-422.2 to establish that it is the public policy of the State to protect and safeguard the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgment on account of race, religion, color, national origin, age, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information (previously, only protected race, religion, color, national origin, age, sex or handicap) by employers which regularly employ one or more employees (was, 15 or more employees).

Makes conforming changes to expand employment protections to those same classes added to GS 143-422.2 by this act, to GS 126-16 (Equal opportunity for employment and compensation by State departments and agencies and local political subdivisions) and GS 126-34.02(b) (concerning the appeal process for agency employment discrimination, harassment, and retaliation issues to be heard as contested cases).

Part III. Public Accommodations

Enacts Article 49C to GS Chapter 143, Equal Access to Public Accommodations, to be known as the Equal Access to Public Accommodations Act. Provides a legislative declaration that it is the public policy of the State to protect and safeguard the right and opportunity of all individuals within the State to enjoy fully and equally the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodation free of discrimination because of race, religion, color, national origin, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information.

Establishes that it is not discrimination on the basis of sexual orientation or gender identity for a public accommodation to provide separate bathrooms or changing facilities based on gender. Mandates places of accommodation to provide access to facilities based on a person's gender identity. Defines place of public accommodations to have the same meaning as defined in GS 168A-3(8), but excludes any private club or other establishment that is not in fact open to the public.

Authorizes the Human Relations Commission (Commission) in the Department of Administration to receive, investigate, and conciliate complaints of discrimination in public accommodations, and directs the Commission to effect an amicable resolution. Provides that in the event the Commission cannot effect an amicable resolution of the charges of discrimination, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7 (State Fair Housing Act enforcement provisions).

Part IV. Credit

Enacts GS 75-44 to prohibit discrimination by any person engaged in any form of lending money in this State, or to residents of this State, in the extension of credit on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows complainants concerning violations of this statute to file a grievance with the Human Relations Commission. Directs the Commission to effect an amicable resolution, and in the event the Commission cannot effect an amicable resolution, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7, as similarly provided in GS 143-422.13 enacted by this act. Makes a violation of this statute an unfair trade practice in violation of GS 75-1.1.

Part V. Insurance

Amends GS 58-3-25 to prohibit discriminatory practices by insurers because of an individual's race, color, national or ethnic origin, religion, sex, marital status, familial status, sexual orientation, gender identity, disability, military or veteran status, or genetic information (previously, only protected race, color, national or ethnic origin).

Part VI. Education

Amends GS 115C-47 to require each local board of education to adopt a policy to establish that the local board of education and school personnel employed by the local board must not discriminate on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Requires that the policy include that any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice may file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Enacts new GS 115C-112.10 prohibiting nonpublic schools that accepts students receiving scholarships grants from discriminating on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows person who claim to have been injured by an unlawful discriminatory practice or believes that they will be irrevocably injured by such to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115C-218.45 to expand the basis on which a charter school must not limit admission to also include color, age, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information; removes creed and ancestry. Allows a charter school that serves only certain grade levels to limit admission based on age.

Amends GS 115C-218.55 to prohibit a charter school from discriminating on the basis of national origin, race, color, religion, age, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, genetic information, or disability (was, only ethnicity, national origin, gender, or disability). Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115C-562.5 to prohibit a nonpublic school from discriminating on the basis of on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115D-77 to expand upon the State Board of Community Colleges and local board of trustees nondiscrimination policy to also prohibit discrimination on the basis of color, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, and genetic information. Adds that the State Board and each board of trustees must give equal opportunity for employment and compensation of personnel at community colleges without regard to marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information, in addition to the already listed categories. Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 116-11 to require the UNC Board of Governors to adopt a policy to provide that UNC and its affiliates and personnel employed by UNC and its affiliates must not discriminate on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Requires that the policy include that any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice may file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Part VII. Jury Service

Amends GS 15A-1214 to prohibit excluding a person from jury service on account of race, race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information.

Part VIII.

States legislative findings regarding the State's antidiscrimination laws. Directs the Legislative Research Commission to conduct a review of State antidiscrimination laws to develop legislative proposals that will further equality for all in NC through comprehensive legislation.

Part IX.

The act is effective July 1, 2023.

[View summary](#)

Business and Commerce, Insurance, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, General Assembly, State Agencies, Community Colleges System Office, UNC System

H 519 (2023-2024) **MENTAL HEALTH PROTECTION ACT**. Filed Mar 29 2023, *AN ACT CONCERNING THE PROTECTION OF MINORS AND ADULTS WHO HAVE DISABILITIES FROM ATTEMPTS TO CHANGE SEXUAL ORIENTATION AND GENDER IDENTITY.*

Includes whereas clauses. Enacts new Article IM, Mental Health Protection Act, in GS Chapter 90. Prohibits the following from engaging in conversion therapy with an individual under age 18 or an adult under guardianship, as defined: licensed clinical social workers, licensed marriage and family therapists, licensed clinical mental health counselors, licensed psychiatrists, and licensed psychologists. Conversion therapy is defined as any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to (1) change behaviors and gender expressions or (2) eliminate or reduce sexual or romantic attractions or feelings towards individuals of the same gender. Excludes from conversion therapy counseling that provides assistance to an individual undergoing gender transition or counseling that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development as long as such counseling does not seek to change an individual's sexual orientation or gender identity. Considers conversion therapy practiced by those named classes of professionals as unprofessional conduct and makes the professional subject to discipline. Directs the Department of Health and Human Services to report to the appropriate licensing entity any professional found to be in violation of the statute. Authorizes DHHS to adopt rules to set forth and implement reporting requirements for violations. Prohibits State funds, or any funds belonging to a municipality, agency, or political subdivision of this State, from being expended for the purpose of conducting conversion therapy, referring an individual for conversion therapy, health benefits coverage for conversion therapy, or a grant or contract with any entity that conducts conversion therapy or refers individuals for conversion therapy. Includes a severability clause.

Intro. by Ball, Harrison, Butler, Price.

GS 90

[View summary](#)

Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

H 520 (2023-2024) **PROHIBIT DEFENSE BASED ON SEX OR GENDER**. Filed Mar 29 2023, *AN ACT TO PROHIBIT A DEFENSE TO HOMICIDE OR ASSAULT BASED ON THE DISCOVERY OF, PERCEPTION OF, OR BELIEF ABOUT ANOTHER PERSON'S SEX, GENDER, GENDER IDENTITY, OR SEXUAL ORIENTATION.*

Identical to **S 400**, filed 3/29/23.

Enacts GS 14-18.3, prohibiting as a defense to homicide prosecutions under Article 6, the discovery of, perception of, or belief about another person's actual or perceived sex, gender, gender identity, or sexual orientation, whether or not accurate, specifying the same is not provocation negating malice as an element of murder. Specifies that the statute does not preclude the admission of evidence of a victim's or witness's conduct, behavior, or statements that is relevant or otherwise admissible.

Enacts identical provisions to GS 14-34.11, applicable to prosecutions for assault under Article 8.

Applies to offenses committed on or after December 1, 2023. Provides a savings clause for prosecutions for offenses committed before December 1, 2023.

Intro. by Autry, Butler, Ball, Staton-Williams.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 521 (2023-2024) **FUNDS FOR NC TROOPERS ASSOC. CAISSON UNIT**. Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA TROOPERS ASSOCIATION CAISSON UNIT*.

Appropriates \$250,000 for 2023-24 from the General Fund to the Department of Public Safety, State Highway Patrol Division, to be allocated as a directed grant to the North Carolina Troopers Association Caisson Unit, Inc. Effective July 1, 2023.

Intro. by Cotham, Bell, McNeely, Rudow.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Public Safety

H 522 (2023-2024) **REPEAL PRELITIGATION PUBLIC RECORDS MEDIATION**. Filed Mar 29 2023, *AN ACT REPEALING THE PRELITIGATION MEDIATION REQUIREMENT IN PUBLIC RECORD DISPUTES*.

Repeals GS 7A-38.3E, which (1) allowed the parties to a public records dispute to agree at any time prior to filing a civil action to mediation of the dispute and (2) required mediation once a civil action was filed. Makes conforming changes to GS 132-9 and GS 7A-38.2 to reflect the repeal.

Intro. by Everitt, Autry.

GS 7A, GS 132

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Government, Public Records and Open Meetings

H 523 (2023-2024) **FIRST RESPONDERS MENTAL HEALTH**. Filed Mar 29 2023, *AN ACT ESTABLISHING A SUPPLEMENTAL INSURANCE POLICY FOR FIRST RESPONDERS DIAGNOSED WITH MENTAL HEALTH CONDITIONS*.

Adds new Article 86A, First Responders Mental Healthcare Plan Act, in GS Chapter 58, providing as follows.

Establishes a first responder mental health care benefits plan, to be administered by the Department of Insurance, as a supplemental insurance policy that provides benefits to eligible first responders with a diagnosis of a mental condition. Defines *first responder* as a law enforcement officer, firefighter, 911 dispatcher, emergency medical technician employed by a State or local government, detention officer employed by a local government, correctional or probation officer employed by the State, or a volunteer firefighter meeting specified requirements; includes first responders employed by nongovernmental entities. Defines *eligible mental condition* as stress, mental injury, or mental illness that is medically diagnosed as an anxiety disorder, conduct disorder, depressive disorder, obsessive-compulsive and related disorder, sleep-wake disorder, or trauma and stressor-related disorder as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders. Sets out definitions for *911 dispatcher*, *emergency medical technicians* and *emergency medical dispatchers*, *firefighter*, and *law enforcement officer*.

Requires a first responder, in order to be eligible for benefits, to: (1) be currently employed as a first responder, regardless of the date of original diagnosis; (2) be diagnosed by a healthcare provider, who establishes with a reasonable degree of medical certainty that the condition is the result of a singular incident or accumulative effect of employment-related activities; and (3) have a diagnosed condition that resulted from the first responder acting within the scope of his or her employment as a first responder. Prohibits receiving benefits if the first responder is receiving benefits related to a mental condition under the NC Worker's Compensation Act.

Sets out provisions governing a medical cost reimbursement, salary benefit, and a disability benefit, including the amount of the benefit and limits on which benefits can be used together. Sets out additional limitations on the disability benefits including

limiting duration of the benefits to 36 consecutive months.

Effective January 1, 2024.

Intro. by Clampitt, White, Saine, Reeder.

[GS 58](#)

[View summary](#)

**Government, Public Safety and Emergency Management,
State Agencies, Department of Insurance, Health and Human
Services, Mental Health**

H 524 (2023-2024) [WRC & CRIME LAB/INCREASES/POSITIONS/STUDY](#). Filed Mar 29 2023, *AN ACT ESTABLISHING NEW POSITIONS AND PAY SCHEDULES AT THE WILDLIFE RESOURCES COMMISSION, PROVIDING SALARY ADJUSTMENT FUNDING FOR EMPLOYEES AT THE STATE CRIME LABORATORY, AND APPROPRIATING FUNDS FOR THOSE PURPOSES.*

Appropriates \$16,186,278 for 2023-24 and for 2024-25 from the General Fund to the Reserve for Compensation Increases, effective July 1, 2023, for 30 new full-time positions and pay scales at the Wildlife Resources Commission (Commission). Requires the funds to be used for one salary schedule based on experience and one based on rank.

Requires, effective July 1, 2023, that Commission employees be paid based on the established experience based or rank-based schedules. Salaries range from \$49,516 to \$72,253 for experience ranging from 0 years to 6+ years. Salaries range from \$79,479 to \$144,778 for ranks ranging from Pilot 1, Sergeant, to Colonel.

Appropriates \$2.5 million for 2023-24 and 2024-25 from the General Fund to the Reserve for Compensation Increases, effective July 1, 2023, for salary adjustments at the State Crime Laboratory in the Department of Justice (DOJ) for employee recruitment and retention.

Requires DOJ in conjunction with the Office of State Human Resources, by January 15, 2024, to develop recommendations and legislative proposal for an experience-based salary schedule for Lab employees and report to the specified NCGA committee. Specifies what must be included in the report.

Effective July 1, 2023, requires, with respect to positions affected by this act, positions that were previously receipt-supported to be supported by the General Fund.

Intro. by Clampitt.

[APPROP](#)

[View summary](#)

**Animals, Government, Budget/Appropriations, State
Agencies, Department of Justice**

H 525 (2023-2024) [ROANOKE-CHOWAN CC FUNDS](#). Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS FOR ROANOKE-CHOWAN COMMUNITY COLLEGE.*

Appropriates \$23 million for 2023-24 from the General Fund to the Community Colleges System Office to be allocated to Roanoke-Chowan Community College for the specified purposes. Effective July 1, 2023.

Intro. by Ward.

[APPROP](#)

[View summary](#)

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

H 526 (2023-2024) [TURNING HIGH ACHIEVING STUDENTS INTO TEACHERS](#). Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS TO IMPROVE DEVELOPMENT OF THE TEACHER PIPELINE.*

Includes whereas clauses. Appropriates \$100,000 for each year of the 2023-25 fiscal biennium from the General Fund to the Department of Public Instruction to be provided to the North Carolina Foundation for Public School Children for the North Carolina Teacher Cadet Program. Requires the funds to be used for three specified services related to expansion of the educator pipeline. Effective July 1, 2023.

Intro. by Ball, Prather, G. Brown, T. Brown.

APPROP

[View summary](#)

Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction

H 527 (2023-2024) [HIGHWAY SAFETY OMNIBUS/ADDIT'L MAGISTRATES](#). Filed Mar 29 2023, *AN ACT TO INCREASE STATE TROOPERS IN MECKLENBURG COUNTY, TO INCREASE MAGISTRATES IN MECKLENBURG COUNTY, TO REVISE CERTAIN PENALTIES FOR FAILURE TO STOP FOR A SCHOOL BUS AND AUTHORIZE THE USE OF VEHICLE REGISTRATION AS PRIMA FACIE EVIDENCE OF RESPONSIBILITY, TO EXPAND THE OPERATIONAL HOURS OF THE CHARLOTTE IMAP CENTER, AND TO APPROPRIATE FUNDS.*

Section 1

Appropriates \$960,429 in recurring funds and \$1,006,488 in nonrecurring funds from the General Fund to the State Highway Patrol for 2023-24 to fund 12 full-time Trooper positions for District H5 of Troop H. Effective July 1, 2023.

Section 2

Increases the minimum number of magistrates required by GS 7A-133 for Mecklenburg County from 31.5 to 36.5. Appropriates \$373,930 in recurring funds for 2023-24 and \$15,140 in nonrecurring funds for 2023-24 from the General Fund to the Administrative Office of the Courts (AOC) to hire the five additional magistrates required by the act in Mecklenburg County. Effective July 1, 2023.

Section 3

Amends GS 20-217, which requires motor vehicles to stop for properly marked school buses when stopped in certain described instances, increasing the minimum fines as follows: for violation of the statute, from \$500 to \$1,000; for willful violation of the statute and also striking any person, from \$1,250 to \$2,250; and for willful violation of the statute and also striking a person that results in their death, from \$2,500 to \$3,500. Enacts a new subsection, establishing that it is prima facie evidence that the vehicle was operated by the person in whose name the vehicle was registered at the time of the violation whenever evidence is presented in any court or administrative hearing of the fact that a vehicle was operated in violation of the statute. Provides a similar provision with regard to operation by a renter of a rented vehicle. Applies to offenses committed on or after December 1, 2023.

Section 4

Requires that \$20 million in nonrecurring funds of the funds appropriated from the General Fund to the Department of Transportation (Department) for 2023-24 and \$15 million in recurring funds of the funds appropriated from the General Fund to the Department for 2024-25 is to be allocated for the Department to record and store video from the Department's highway cameras.

Amends GS 132-1.1 to prohibit highway camera video records stored by the Department from being disclosed except as provided in new GS 132-1.7B.

Enacts new GS 132-1.7B, providing as follows. Sets out and defines terms, including defining *highway camera* as a Department of Transportation (Department) video or digital camera, located on highway rights-of-way, for the purpose of monitoring vehicle traffic. Specifies that recordings under this statute are not public records.

Allows a person to request disclosure of a recording through a written request to the Department that includes the name of the person making the request, date and approximate time of the activity, or otherwise identify the activity with reasonable particularity sufficient to identify the recording. Allows disclosure of a recording to only: (1) a person whose image or voice is

in the recording; (2) a personal representative of an adult person whose image or voice is in the recording, if the adult person has consented to the disclosure; (3) a personal representative of a minor or of an adult person under lawful guardianship whose image or voice is in the recording; (4) a personal representative of a deceased person whose image or voice is in the recording; (5) a personal representative of an adult person who is incapacitated and unable to provide consent to disclosure. Requires disclosing only the portions of the recording relevant to the person's request. Prohibits a person receiving disclosure from recording or copying the recording. Requires the Department to make the disclosure or deny the request as promptly as possible. Sets out six factors the Department is to consider when deciding whether to grant or deny the request. Sets out the procedure under which the person seeking disclosure may apply to the appropriate superior court for a review of the denial of disclosure when disclosure has been denied or disclosure has not been made more than three business days after the request. Sets out conditions under which the court may order disclosure. Sets out individuals that must be notified and given an opportunity to be heard at the hearing.

Provides that recordings are to be released only pursuant to court order. Allows any person requesting release of a recording to file an action in the appropriate superior court for an order releasing the recording. Requires the request to state the date and approximate time of the activity captured in the recording or otherwise identify the activity with reasonable particularity sufficient to identify the recording to which the action refers. Sets out factors the court is to consider in determining whether to order the release of all or a portion of the recording. Limits the release to only those portions of the recording relevant to the person's request and allows placing conditions or restrictions on the release. Sets out individuals that must be notified and given an opportunity to be heard at the hearing.

Requires the Department to disclose or release a recording to a district attorney (1) for review of potential criminal charges, (2) to comply with discovery requirements in a criminal prosecution, (3) for use in criminal proceedings in district court, or (4) for any other law enforcement purpose and allows disclosure or release of a recording for suspect identification or apprehension or to locate a missing or abducted person.

Provides that the Department is not required to retain any recording subject to this statute for more than 30 days, unless a court of competent jurisdiction orders otherwise.

Provides that no civil liability arises from compliance with the statute, so long as the acts or omissions are made in good faith.

Allows the Department to charge a fee for making a copy of a recording for release, not to exceed the actual cost. Prohibits the court from awarding attorneys' fees.

Prohibits using recordings subject to the statute for fines or private investigation. Provides that no elected official may review recordings subject to this statute, unless they meet the statute's disclosure criteria; excludes a county sheriff or district attorney if review of the recordings is within the scope of a criminal investigation.

Effective July 1, 2023.

Appropriates \$3 million in recurring funds for 2023-24 from the Highway Fund to the Department of Transportation to be used to expand the operational hours of the iMap and North Carolina Department of Transportation Metrolina Transportation Management Center in Charlotte to 24 hours a day, every day of the year. Effective July 1, 2023.

Intro. by Logan, Belk, Carney, Hawkins.

APPROP, Mecklenburg, GS 7A, GS 20, GS 132

[View summary](#)

Courts/Judiciary, Motor Vehicle, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Records and Open Meetings, Public Safety and Emergency Management, State Agencies, Department of Justice, Department of Transportation, State Government, State Personnel, Transportation

Appropriates \$700,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to Butner to study transportation improvements, regional stormwater devices, development and redevelopment opportunities, and related land development ordinance amendments related to property and infrastructure in the specified area. Effective July 1, 2023.

Intro. by Sossamon.

[APPROP, Granville](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Office of State Budget and Management](#)

H 529 (2023-2024) [LIMIT HEALTH CARE POWER OF ATTORNEY](#). Filed Mar 29 2023, *AN ACT PROHIBITING HEALTH CARE AGENTS FROM AMENDING FUNERAL ARRANGEMENTS SPECIFIED IN PRENEED FUNERAL CONTRACTS*.

Amends GS 32A-19 by adding that a health care power of attorney does not authorize a health care agent to change the funeral arrangements or performing funeral establishment that is specified in a preneed funeral contract purchased by the principal or on behalf of the principal.

Amends GS 90-210.63A by prohibit a person appointed as the health care agent of the preneed contract beneficiary from changing the arrangements or performing funeral establishment specified in the preneed funeral contract. Provides that if the establishment designated in the preneed funeral contract is no longer in business at the time of the contract beneficiary's death, then a designated competent person, selected as specified, must designate an establishment to perform the funeral.

Amends GS 90-210.124 by specifying that the statute does not give a health care agent the right to change the funeral arrangements or performing funeral establishment specified in a preneed contract purchased by or on behalf of the principal. Makes additional organizational and technical changes. Makes language gender neutral.

Effective October 1, 2023.

Intro. by Alexander.

[GS 32A, GS 90](#)

[View summary](#)

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

H 530 (2023-2024) [ADVOCACY FOR BONE MARROW EDUC. & REGISTRATION](#). Filed Mar 29 2023, *AN ACT DESIGNATING THE MONTH OF NOVEMBER AS MARROW DONATION AWARENESS MONTH; AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF MOTOR VEHICLES TO RAISE AWARENESS THROUGH PUBLIC SERVICE ANNOUNCEMENTS ABOUT BONE MARROW DONATION AND BONE MARROW DONATION REGISTRIES*.

Includes whereas clauses.

Names the act the "Knight-LeCount Advocacy for Marrow Education and Registration Act" or "KLAMER Act."

Enacts new GS 103-12.5 designating the month of November as Marrow Donation Awareness Month in this State.

Requires the Department of Health and Human Services (DHHS) to put on its website a public service announcement that includes medically accurate information on bone marrow donation and transplantation that is sufficient to allow an individual to make an informed decision about whether to participate in a local or national bone marrow donation registry.

Requires DHHS to give the Department of Motor Vehicles (DMV) an internet link to the public service announcement authorized above, for the DMV to put on its website. Also requires the DMV to broadcast the public service announcement authorized above on monitors at drivers license office locations across the state.

Intro. by Crawford, Carney, Liu.

[GS 103](#)

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Department of Transportation, Health and Human Services, Health

H 531 (2023-2024) [CHARTER SCH. TUITION - OUT-OF-STATE STUDENTS](#). Filed Mar 29 2023, *AN ACT TO ALLOW CHARTER SCHOOLS TO ADMIT NONRESIDENT STUDENTS IF THE SCHOOL IS NOT OPERATING AT CAPACITY AND TO ALLOW THE CHARTER SCHOOL TO CHARGE THE NONRESIDENT STUDENT TUITION.*

Amends GS 115C-218.45 to allow a charter school that is unable to fill its current enrollment with students qualified for admission to a public school to enroll school age children who are not domiciliaries of the State and charge those students a tuition amount equal to the per pupil allocation of the local appropriation for the county in which the charter school is located and the per pupil State appropriation for that school year. Caps the enrollment of such students at 10% of the total number of students enrolled in the charter school. Applies beginning with the admissions process for the 2024-25 school year.

Intro. by Stevens, Blackwell, Brody, Pyrtle.

[GS 115C](#)

[View summary](#)

Education, Elementary and Secondary Education

H 532 (2023-2024) [MODIFY JUDICIAL RETIREMENT AGES](#). Filed Mar 29 2023, *AN ACT TO MODIFY THE MAXIMUM AGE OF JUDICIAL SERVICE FOR JUSTICES AND JUDGES OF THE GENERAL COURT OF JUSTICE AND MAGISTRATES.*

To be summarized.

Intro. by Stevens.

[View summary](#)

H 533 (2023-2024) [HUMAN LIFE PROTECTION ACT OF 2023](#). Filed Mar 29 2023, *AN ACT TO PROHIBIT ABORTION AFTER CONCEPTION EXCEPT WHEN NECESSARY TO PRESERVE THE LIFE OF THE MOTHER.*

To be summarized.

Intro. by Kidwell, Moss, Goodwin, Crutchfield.

[View summary](#)

H 534 (2023-2024) [PROTECTING SCHOOL EMPLOYEES](#). Filed Mar 29 2023, *AN ACT TO INCREASE THE PUNISHMENT FOR A PERSON WHO COMMITS A SECOND OR SUBSEQUENT OFFENSE OF ASSAULTING A SCHOOL EMPLOYEE OR SCHOOL VOLUNTEER.*

Amends GS 14-33 by making a second or subsequent assault on a school employee or school volunteer discharging or attempting to discharge his or her duties as an employee or volunteer, or assault on a school employee or school volunteer as a result of the discharge or attempt to discharge that individual's duties, a Class G felony (initial violations are a Class A1 misdemeanor). Applies to offenses committed on or after December 1, 2023.

Intro. by N. Jackson, Carson Smith, Stevens, Biggs.

[GS 14](#)

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and
Procedure, Education, Elementary and Secondary Education**

H 535 (2023-2024) **SOLAR CAPACITY LIMIT ELIMINATION**. Filed Mar 29 2023, *AN ACT TO ELIMINATE THE CAP ON ROOFTOP SOLAR LEASING AND TO ELIMINATE THE CAP ON NET METERING*.

Amends GS 62-126.5 by removing the cap on the total installed capacity of all solar energy facilities on an offering utility's system that are leased.

Amends GS 62-126.4 by requiring the North Carolina Utilities Commission (Commission) to continue to allow net metering for any customer owning and operating a renewable energy facility that generates electricity with a capacity up to 1 MW (megawatt) at the applicable net metering rate in place at the time of interconnection. Requires the Commission to expand net metering at the applicable net metering rate in place at the time of interconnection to customers owning and operating a renewable energy facility with a capacity over 1 MW that is intended primarily to offset the customer's annual usage.

Amends GS 62-133.8 by amending rules that must be adopted by the Commission to require the adoption of rules (was, required to consider if it is in the public interest to adopt rules) for electric public utilities for net metering of renewable energy facilities with a generation capacity intended primarily to offset the customer's annual usage (was, with a generation capacity of one megawatt or less).

Effective July 1, 2023.

Intro. by K. Hall, McNeely, Paré, Carney.

GS 62

[View summary](#)

Environment, Energy, Public Enterprises and Utilities

H 536 (2023-2024) **LOGGERHEAD TURTLE/STATE SALTWATER REPTILE**. Filed Mar 29 2023, *AN ACT TO ADOPT THE LOGGERHEAD SEA TURTLE AS THE OFFICIAL SALTWATER REPTILE OF THE STATE OF NORTH CAROLINA*.

Includes whereas clauses.

Enacts GS 145-52 as title indicates.

Intro. by Iler, Carson Smith.

GS 145

[View summary](#)

Government, Cultural Resources and Museums

H 537 (2023-2024) **WORKFORCE HOUSING ACT**. Filed Mar 29 2023, *AN ACT TO ADDRESS CRITICAL HOUSING NEEDS BY DECREASING REGULATORY BURDENS ON CERTAIN DEVELOPMENT, ENHANCING FINANCING OPTIONS FOR FIRST-TIME HOMEBUYERS AND VETERANS, AND PROVIDING ADDITIONAL ONGOING FUNDING TO SUPPORT WORKFORCE HOUSING IN THIS STATE*.

To be summarized.

Intro. by Zenger, Biggs, Lowery, Fontenot.

[View summary](#)

H 538 (2023-2024) [ISOTHERMAL COMMUNITY COLLEGE CAPITAL FUNDS](#). Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS TO RUTHERFORD COUNTY FOR THE CONSTRUCTION OF A HEALTH SCIENCES BUILDING AT ISOTHERMAL COMMUNITY COLLEGE*.

Includes whereas clauses.

Appropriated \$30 million from the State Capital and Infrastructure Fund to Rutherford County for 2023-24 to be used as title indicates.

Effective July 1, 2023.

Intro. by Johnson.

[APPROP, Rutherford](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies,
Community Colleges System Office](#)

PUBLIC/SENATE BILLS

S 27 (2023-2024) [SOIL AND WATER/PARTISAN ELECTION OPTION. \(NEW\)](#) Filed Jan 26 2023, *AN ACT TO AUTHORIZE A SOIL AND WATER CONSERVATION BOARD TO OPT TO CONDUCT PARTISAN ELECTIONS*.

Senate committee substitute to the 1st edition deletes the content of the previous edition and replaces it with the following.
Changes the bill from local to public. Amends the act's titles.

Enacts new GS 139-6.5 allowing a district board of supervisors, after conducting the initial election after the issuance of the certificate of organization, to adopt a resolution changing the method of election from nonpartisan to partisan. Requires at least one public hearing before voting on the resolution. Requires an adopted resolution to be delivered to the county board of elections and to the Soil and Water Conservation Commission. Makes the resolution effective upon delivery to the county board of elections for the next general election for which the filing period for primaries has not commenced. Sets out provisions for the repeal of the resolution. Requires a partisan election under this statute to be held in accordance with GS Chapter 163. Specifies that statute does not alter the application of specified existing statutes for the selection and appointment of the appointive members of the district board of supervisors. Requires any resolution altering the method of election from nonpartisan to partisan to be adopted on or before December 1, 2023.

Amends GS 139-6 concerning the election of members of the district board of supervisors by making conforming changes. No longer requires the election to be conducted by the county board of elections. Removes the \$5 filing fee and instead requires the fee to be in accordance with Article 10 (Primary Elections) of GS Chapter 163. Adds that to fill any vacancy in the elected supervisors, the Soil and Water Conservation Commission must appoint a qualified voter from the county in the district in which the vacancy occurs for the unexpired term. Sets out the procedure for filling a vacancy when the board member creating the vacancy was elected in a partisan election. Makes organizational changes and removes outdated language.

Amends GS 139-7, concerning appointed members of the district board of supervisors, by removing the provision for the specified termination of the terms of office of all appointive supervisors who have been lawfully appointed for terms the final year of which presently extends beyond the first Monday in December. Also deletes the provision for filling vacancies in the elected supervisors. Makes organizational and technical changes.

Intro. by Johnson.

[GS 139](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government,
Elections](#)

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.*

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. SL 2023-8. Enacted March 29, 2023. Effective March 29, 2023, except as otherwise provided.

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 228 (2023-2024) [PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.](#) Filed Mar 8 2023, *AN ACT TO ALLOW DISBURSEMENT WITHOUT PREJUDICE OF ALL OR A PORTION OF THE DEPOSIT MADE BY A CONDEMNOR IN A PRIVATE CONDEMNATION PROCEEDING.*

Senate committee substitute to the 1st edition makes the following changes. Amends GS 40A-28(d1) by also requiring that, in addition to a lack of dispute as to title, a person named in a complaint does not challenge the condemnor's right to acquire the subject property before that person can apply for disbursement of money deposited in the court as full compensation or as a credit against just compensation without prejudice to further proceedings.

Intro. by Sawrey, Craven, B. Newton.

Buncombe, GS 40A

[View summary](#)

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

S 236 (2023-2024) [MODERNIZE AUDIOLOGY PRACTICE LAWS.](#) Filed Mar 8 2023, *AN ACT TO UPDATE THE GENERAL STATUTES OF NORTH CAROLINA GOVERNING THE PRACTICE OF AUDIOLOGY TO BETTER REFLECT THE CHANGES IN EDUCATION, EXPERIENCE, AND PRACTICE OF THE PROFESSION IN ORDER TO ENHANCE THE HEALTH AND WELFARE OF NORTH CAROLINA CITIZENS.*

Senate amendment to the 2nd edition makes the following changes. Amends the definition of the *practice of audiology* set forth in GS 90-293 so that the list of areas of audiology practices only includes the 14 areas listed in the definition. (The definition previously specified that the definition included those 14 areas but was not limited to those areas.) Makes clarifying change to prong (c)(ii) of the enumerated areas of audiology in the definition of the practice of audiology by specifying that counseling and treating those at risk for hearing loss is part of the prong. (Was, just at risk, no specification of at risk for hearing loss.) Makes clarifying change to prong (k) of the enumerated areas of audiology in the definition of the practice of audiology by specifying it includes removing cerumen obstructions. (Was, just removing cerumen.) Amends GS 90-294A (pertaining to treatment of minors by audiologists) by clarifying that only licensed audiologists or individuals working under licensed audiologists are able to manage hearing rehabilitative services of a minor. (Was, manage health care services.)

Intro. by Corbin, Krawiec, Adcock.

GS 90

[View summary](#)

Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers

S 274 (2023-2024) **HOME ASSISTANCE SERVICES. (NEW)** Filed Mar 9 2023, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXEMPT CERTAIN HOME ASSISTANCE SERVICES FROM HOME CARE LICENSURE REQUIREMENTS.*

Senate amendment to the 2nd edition makes the following changes. Adds definition of *home assistance services provider* to list of defined terms in GS 131E-136. Amends the requirement that providers of home assistance services prohibit employment of an individual listed on a sex registry to prohibit contracting with or employing an individual listed on the National Sex Offender Public Website. Adds the following additional requirements that providers of home assistance services must follow: (1) document that each employee or contractor possesses a valid driver's license, vehicle registration, proof of insurance, and has provided an official driving record from the NC Division of Motor Vehicles and (2) inform clients that employees and contractors of a home care provider are prohibited from smoking while providing services to a client in the client's home.

Intro. by Perry, Sawyer, Overcash.

UNCODIFIED, GS 131E

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services

S 391 (2023-2024) **NCSSM PLATE.** Filed Mar 29 2023, *AN ACT TO AUTHORIZE A SPECIAL LICENSE PLATE FOR THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.*

Amends GS 20-79.4(b) as title indicates. Amends GS 20-79.7 and GS 20-81.12 to establish a special plate fee of \$20 and requires that \$20 of that fee be transferred quarterly to the North Carolina School of Science and Mathematics Foundation.

Intro. by Hise, Daniel, Woodard.

GS 20

[View summary](#)

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

S 392 (2023-2024) **NC TIME ZONE/OBSERVE DST ALL YEAR.** Filed Mar 29 2023, *AN ACT TO DESIGNATE THE TIME ZONE OF NORTH CAROLINA AND TO ADOPT DAYLIGHT SAVING TIME YEAR-ROUND IF AUTHORIZED BY CONGRESS.*

Identical to [H 326](#), filed 3/9/23.

Enacts Article 8, Standard Time, to GS Chapter 81A. Enacts GS 81A-100, designating the standard time of the State to be the time designated by the US Department of Transportation pursuant to the Uniform Time Act of 1966. Subject to the authorization of Congress, directs the State and its political subdivisions to observe Daylight Saving Time throughout the year.

Directs the Commissioner of Agriculture (Commissioner) to notify the Governor within 60 days of Congressional authorization. Directs the Governor to implement GS 81A-100 by executive order or otherwise upon notification by the Commissioner.

Intro. by Hise, Sawyer.

GS 81A

S 393 (2023-2024) **CRNA SUPERVISION MODIFICATIONS**. Filed Mar 29 2023, *AN ACT TO REQUIRE DIRECT SUPERVISION OF CERTIFIED REGISTERED NURSE ANESTHETISTS BY ANESTHESIOLOGISTS WHEN PERFORMING ANESTHESIA ACTIVITIES DURING SURGICAL PROCEDURES*.

Enacts new GS 90-18.5A requiring a certified registered nurse anesthetist to be under the direct supervision of an anesthesiologist when conducting anesthesia activities (as defined) for and during a surgical procedure (defined as any medical procedure requiring deep sedation or analgesia, major conduction blockade, or general anesthesia, whether conducted in a hospital, ambulatory surgical facility, or other health care facility, or a Level III procedure in an office-based setting). Requires the supervisor to be physically present during the performance of anesthesia activities.

Requires the North Carolina Medical Board and North Carolina Board of Nursing to adopt temporary rules to implement this act.

Effective October 1, 2023.

Intro. by Burgin, Krawiec, Corbin.

GS 90

[View summary](#)

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

S 394 (2023-2024) **LEGISLATIVE REFORM COMMISSION**. Filed Mar 29 2023, *AN ACT TO CREATE THE LEGISLATIVE REFORM COMMISSION TO STUDY AND MAKE RECOMMENDATIONS REGARDING LEGISLATOR TERMS, TERM LIMITS, SESSION LIMITS, AND COMPENSATION*.

Establishes the eight-member Commission on Legislative Reform (Commission). Provides for member appointment by the President Pro Tempore of the Senate and the Speaker of the House, with four appointments each. Bars elected officials from serving on the Commission. Provides for a Commission chair, meetings, vacancies, and member expenses. Charges the Commission with studying and making recommendations regarding modifications to the NC Constitution with regards to NCGA member terms, NCGA member term limits, limitations on the length of legislative sessions, legislative compensation, and legislative per diem and mileage allowances. Enumerates six other areas the Commission can study, including the length of legislative sessions for each biennium since 1981 and the length of other states' legislative session and limitations on the length of legislative sessions, as well as any other information the Commission deems appropriate. Directs UNC-Chapel Hill's School of Government to assist the Commission by providing a meeting space, provide necessary clerical, administrative, and legal support, and preparing the Commission's report. Directs the Commission to report to specified NCGA leadership and committee chairs by April 15, 2024, as specified. Terminates the Commission upon the earlier of submission of its report or April 15, 2024.

Intro. by Burgin, Corbin, Woodard.

STUDY

[View summary](#)

Constitution, Government, General Assembly, State Agencies, UNC System

S 395 (2023-2024) **REINSTATE MERCHANT'S DISCOUNT**. Filed Mar 29 2023, *AN ACT TO REINSTATE A MERCHANT'S DISCOUNT*.

Reenacts GS 105-164.21 as it existed immediately before its repeal and makes the following changes. Increases the "merchant's discount" set forth in GS 105-164.21, now allowing a retailer who pays the retail sales and use tax imposed by Article 5 to deduct from the amount of the tax paid a discount of 3%, not to exceed \$5,000 (was 1%, not to exceed \$500).

Amends the following statutes to exclude the merchant's discount from the taxes specified.

Amends GS 105-474 to exclude the merchant's discount from the scope of Article 39, which provides for a one cent local government sales and use tax subject to the application of Article 5 provisions.

Amends GS 105-187.5 to exclude the merchant's discount from the scope of the statute, which permits a retailer to elect to pay a tax on the gross receipts of the limited possession commitment of a motor vehicle in lieu of the highway use tax imposed under Article 5A.

Amends GS 105-187.17 to exclude the merchant's discount from the scope of Article 5B, which governs the scrap tire disposal tax.

Amends GS 105-187.22 to exclude the merchant's discount from the scope of Article 5C, which governs the white goods (large appliances) disposal tax.

Amends GS 105-187.32 to exclude the merchant's discount from the scope of Article 5D, which governs the dry-cleaning solvent tax.

Applies to returns filed on or after July 1, 2023.

Intro. by Burgin.

GS 105

[View summary](#)

Business and Commerce, Government, Tax

S 396 (2023-2024) **COMPACT TO AWARD PRIZES FOR CURING DISEASES**. Filed Mar 29 2023, *AN ACT ENACTING A COMPACT TO AWARD PRIZES FOR CURING DISEASES*.

Enacts Article 23B, Compact to Award Prizes for the Cure of Diseases, to GS Chapter 90, as follows. Sets forth defined terms. Establishes the Solemn Covenant of States Commission (Commission) upon the enactment of the Solemn Covenant of the States to Award Prizes for Curing Diseases (Compact) by six states. Provides for each compacting state to be represented by one member whose qualification, selection and service is determined by each compacting state. Establishes the Commission as a body corporate and politic. Enumerates 23 powers of the Commission, including (1) to receive and review treatments and therapeutic protocols for the cure of diseases submitted to the Commission and to award prizes for submission that meet the Commission's standards for a successful cure treatment or therapeutic protocol, (2) to make successful cure treatments and therapeutic protocols widely available upon prizes claimed by transferring intellectual property necessary for the manufacture and distribution of the cure, and setting a selling price for the cure, (3) to collect royalty fees, (4) to acquire and dispose of property, (5) to monitor and enforce compliance of compacting states, and (6) to take on debt obligations.

Provides for Commission meetings; voting; bylaws; rulemaking; financing; recordkeeping; qualified immunity, defense, and indemnification; and compacting state withdrawal, default, expulsion, and reinstatement.

Sets forth extensive rulemaking requirements and parameters. Requires the Commission to establish at least 10 major diseases for which to create prizes, determined based on the severity, survival rate, and public health and treatment expense of the disease. Directs the Commission to establish qualifying criteria for treatments and protocol to be deemed a cure, including approval by the FDA, a significant increase in survival, with treatment term requiring less than a year to cure. Among other rules the Commission is required to adopt, requires adoption of parameters for defining and classifying diseases; treatment and protocol submission and evaluation; prize amounts for each disease; prize distribution procedures; dispute resolution process; and ethical standards. Provides for rulemaking procedure, amendments, and overreach. Allows for awards on a pro rata basis when awarding for a survival rate that is less than what is established in the cure criteria.

Authorizes the Commission to establish a management committee, and sets forth its membership and authorities. Authorizes the Commission to appoint an advisory committee to advise the Commission prior to approving cure criteria, taking action regarding bylaws or rules, adopting the annual budget, or other significant matters.

Sets forth notice and default procedures for noncompliance of compacting states. Establishes venue for proceedings by or against the Commission in the jurisdiction in which the Commission's principal office is located.

Deems the Compact effective upon legislative enactment by two compacting states, provided that the Commission cannot be established until six states have adopted the Compact. Provides for Compact amendment and funding. Details Compact dissolution procedures and effect.

Includes a severability clause. Details the effect of the Compact on compacting states and other laws. Provides that the act is effective upon the enactment of the compact into law by at least two compacting states.

Intro. by Burgin, Krawiec, Corbin.

GS 90

[View summary](#)

Health and Human Services, Health, Public Health

S 397 (2023-2024) **NONPROFIT FUNDRAISING SALES TAX EXEMPTION**. Filed Mar 29 2023, *AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN NONPROFIT ENTITIES AND TO EXEMPT CERTAIN FUNDRAISING EVENTS BY NONPROFITS FROM SALES TAX*.

Repeals GS 105-164.14(b) (pertaining to certain semiannual refunds due to certain nonprofit entities).

Enacts new subdivision GS 105-164.13(52a) (pertaining to exemptions from retail sales and use taxes) as follows. Exempts the following tangible personal property, digital property, and services for use in carrying on the work of the following entities, provided the entity is not owned or controlled by the State, from the retail sales and use taxes:

- Hospitals not operated for profit, including hospitals and medical accommodations operated by an authority or other public hospital described in Article 2 of GS Chapter 131E.
- An organization that is exempt from income tax under section 501(c)(3) of the IRS Code and not classified in the National Taxonomy of Exempt Entities major group areas of (1) Community Improvement and Capacity Building, (2) Public and Societal Benefit, or (3) Mutual and Membership Benefit.
- Volunteer fire departments and volunteer emergency medical services squads that are (1) exempt from income tax under the IRS Code; (2) financially accountable to a city as defined in GS 160A-1 (pertaining to cities and towns), a county, or a group of cities and counties; or (3) both.
- An organization that is a single member LLC that is disregarded for income tax purposes and satisfies all of the following conditions: (1) the owner of the LLC is an organization that is exempt from income tax under section 501(c)(3) of the IRS Code, (2) the LLC is a nonprofit entity that would be eligible for an exemption under section 501(c)(3) of the IRS Code if it were not disregarded for income tax purposes, and (3) the LLC is not an organization that would be properly classified in any of the major group areas of the National Taxonomy of Exempt Entities listed above.
- Qualified retirement facilities whose property is excluded from property tax under State tax law on qualified retirement facilities.
- A university-affiliated nonprofit organization that procures, designs, constructs, or provides facilities to, or for use by, a constituent institution of The University of North Carolina. Specifies that for purposes of this sub-subdivision, a nonprofit organization includes an entity exempt from taxation as a disregarded entity of the nonprofit organization.
- Over-the-counter drugs purchased for use in carrying out the work of a hospital not listed above.

Specifies that the exemption includes indirect sales to a nonprofit entity of digital property and tangible personal property purchased by a real property contractor that becomes a part of or permanently installed or applied to any building or structure that is owned or leased by the nonprofit entity and is being erected, altered, or repaired for use by the nonprofit entity for carrying on its nonprofit activities. Directs that a sale to fulfill a real property contract with an entity that holds an exemption certificate is exempt to the same extent as if purchased directly by the entity that holds the exemption certificate. Sets forth certificate requirements for a real property contractor that purchases an item allowed an exemption under GS 105-164.13(52a). Directs a real property contractor who pays local sales and use taxes on property qualifying for an exemption under this subdivision on behalf of an entity must give the entity for whose project the property was purchased a signed statement containing (1) the date the property was purchased; (2) the type of property purchased; (3) the project for which the property was used; (4) if the property was purchased in this State, the county in which it was purchased; and (5) if the property was not purchased in this State, the county in which the property was used. If the property was purchased in this State, the real property contractor must attach a copy of the sales or purchase receipt to the statement.

Clarifies that the exemption set forth above does not apply to (1) purchases of electricity, telecommunications service, ancillary service, piped natural gas, video programming, a prepaid meal plan, aviation gasoline and jet fuel, and spirituous liquor or (2) sales and use tax liability indirectly paid by a nonprofit entity through reimbursement to an authorized person of the entity for tax incurred by the person on an item or transaction subject to State tax law.

Sets an aggregate annual exemption amount allowed to an entity under this subdivision for a fiscal year at no more than \$31.7 million in tax.

Enacts GS 105-164.29C detailing a process for a nonprofit entity to apply for the exemption set forth above, including tax liability for failure to use the purchased goods. Makes conforming changes to GS 105-467(b) (pertaining to exemptions and refunds) to refer to the exemption under new GS 105-164.13(52a).

Amends GS 105-236(a)(5a) (pertaining to penalties for misuse of an exemption certificate) to specify that misuse under the subdivision includes improper use of a certificate of exemption issued to a nonprofit entity for the sales and use tax exemption set forth above.

Effective October 1, 2023, and applies to sales and purchases made on or after that date.

Exempts from the entertainment activity tax set forth in GS 105-164.4G events held by a nonprofit entity exempt from tax under State law solely for fundraising purposes for the entity, notwithstanding that entertainment activity may be offered as an ancillary purpose of the event. Effective July 1, 2023, and applies to admission charges for entertainment activities held on or after that date.

Specifies that act does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before the effective date of its amendment or repeal, nor does it affect the right to any refund or credit of a tax that accrued under the amended or repealed statute before the effective date of its amendment or repeal.

Intro. by Burgin.

[GS 105](#)

[View summary](#)

Government, Tax, Nonprofits

S 398 (2023-2024) [EQUALITY FOR ALL](#). Filed Mar 29 2023, *AN ACT TO PROTECT ALL NORTH CAROLINIANS AGAINST DISCRIMINATION IN ALL WALKS OF LIFE*.

Identical to [H 518](#), filed 3/29/23.

Part I. Housing

Amends GS 41A-4, which delineates unlawful discriminatory housing practices, to refer to the protected status of another person as the basis for unlawful discrimination instead of listing specific protected classes (currently, race, color, religion, sex, national origin, handicapping condition, or familial status). Adds protected status to the defined terms in GS 41A-3 and defines the term to mean a person's race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Makes conforming changes to use a person's protected status language to replace specific classes of persons throughout GS 41A-4 and GS 41A-5 (concerning proof of a violation of GS 41A-4).

Amends GS 41A-6, which exempts from GS 41A-4 [except for subdivision (a)(6)] religious institutions and organizations operated by religions institutions or organizations that give preference to members of the same religion in a real estate transaction, so long as membership in that religion is not restricted by a protected status, other than religion (previously, specified race, color, sex, national origin, handicapping condition or familial status).

Part II. Employment

Amends GS 143-422.2 to establish that it is the public policy of the State to protect and safeguard the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgment on account of race, religion, color,

national origin, age, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information (previously, only protected race, religion, color, national origin, age, sex or handicap) by employers which regularly employ one or more employees (was, 15 or more employees).

Makes conforming changes to expand employment protections to those same classes added to GS 143-422.2 by this act, to GS 126-16 (Equal opportunity for employment and compensation by State departments and agencies and local political subdivisions) and GS 126-34.02(b) (concerning the appeal process for agency employment discrimination, harassment, and retaliation issues to be heard as contested cases).

Part III. Public Accommodations

Enacts Article 49C to GS Chapter 143, Equal Access to Public Accommodations, to be known as the Equal Access to Public Accommodations Act. Provides a legislative declaration that it is the public policy of the State to protect and safeguard the right and opportunity of all individuals within the State to enjoy fully and equally the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodation free of discrimination because of race, religion, color, national origin, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information.

Establishes that it is not discrimination on the basis of sexual orientation or gender identity for a public accommodation to provide separate bathrooms or changing facilities based on gender. Mandates places of accommodation to provide access to facilities based on a person's gender identity. Defines place of public accommodations to have the same meaning as defined in GS 168A-3(8), but excludes any private club or other establishment that is not in fact open to the public.

Authorizes the Human Relations Commission (Commission) in the Department of Administration to receive, investigate, and conciliate complaints of discrimination in public accommodations, and directs the Commission to effect an amicable resolution. Provides that in the event the Commission cannot effect an amicable resolution of the charges of discrimination, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7 (State Fair Housing Act enforcement provisions).

Part IV. Credit

Enacts GS 75-44 to prohibit discrimination by any person engaged in any form of lending money in this State, or to residents of this State, in the extension of credit on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows complainants concerning violations of this statute to file a grievance with the Human Relations Commission. Directs the Commission to effect an amicable resolution, and in the event the Commission cannot effect an amicable resolution, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7, as similarly provided in GS 143-422.13 enacted by this act. Makes a violation of this statute an unfair trade practice in violation of GS 75-1.1.

Part V. Insurance

Amends GS 58-3-25 to prohibit discriminatory practices by insurers because of an individual's race, color, national or ethnic origin, religion, sex, marital status, familial status, sexual orientation, gender identity, disability, military or veteran status, or genetic information (previously, only protected race, color, national or ethnic origin).

Part VI. Education

Amends GS 115C-47 to require each local board of education to adopt a policy to establish that the local board of education and school personnel employed by the local board must not discriminate on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Requires that the policy include that any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice may file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Enacts new GS 115C-112.10 prohibiting nonpublic schools that accepts students receiving scholarships grants from discriminating on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows person who claim to have been injured

by an unlawful discriminatory practice or believes that they will be irrevocably injured by such to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115C-218.45 to expand the basis on which a charter school must not limit admission to also include color, age, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information; removes creed and ancestry. Allows a charter school that serves only certain grade levels to limit admission based on age.

Amends GS 115C-218.55 to prohibit a charter school from discriminating on the basis of national origin, race, color, religion, age, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, genetic information, or disability (was, only ethnicity, national origin, gender, or disability). Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115C-562.5 to prohibit a nonpublic school from discriminating on the basis of on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 115D-77 to expand upon the State Board of Community Colleges and local board of trustees nondiscrimination policy to also prohibit discrimination on the basis of color, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, and genetic information. Adds that the State Board and each board of trustees must give equal opportunity for employment and compensation of personnel at community colleges without regard to marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information, in addition to the already listed categories. Allows any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice to file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Amends GS 116-11 to require the UNC Board of Governors to adopt a policy to provide that UNC and its affiliates and personnel employed by UNC and its affiliates must not discriminate on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Requires that the policy include that any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory practice may file a complaint with the North Carolina Human Relations Commission. Requires the Commission to then work with the relevant parties to develop an amicable resolution to the charge of discrimination, and allows the complainant and the Commission to proceed with an enforcement action if the Commission is unable to effect an amicable resolution of the charges.

Part VII. Jury Service

Amends GS 15A-1214 to prohibit excluding a person from jury service on account of race, race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information.

Part VIII.

States legislative findings regarding the State's antidiscrimination laws. Directs the Legislative Research Commission to conduct a review of State antidiscrimination laws to develop legislative proposals that will further equality for all in NC through comprehensive legislation.

Part IX.

The act is effective July 1, 2023.

Intro. by Grafstein, Chaudhuri, Marcus.

STUDY, GS 15A, GS 41A, GS 58, GS 75, GS 115C, GS 115D, GS 116, GS 126, GS 143

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Business and Commerce, Insurance, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, General Assembly, State Agencies, Community Colleges System Office, UNC System

S 399 (2023-2024) [MENTAL HEALTH PROTECTION ACT](#). Filed Mar 29 2023, *AN ACT CONCERNING THE PROTECTION OF MINORS AND ADULTS WHO HAVE DISABILITIES FROM ATTEMPTS TO CHANGE SEXUAL ORIENTATION AND GENDER IDENTITY.*

Identical to [H 519](#), filed 3/29/23.

Includes whereas clauses. Enacts new Article IM, Mental Health Protection Act, in GS Chapter 90. Prohibits the following from engaging in conversion therapy with an individual under age 18 or an adult under guardianship, as defined: licensed clinical social workers, licensed marriage and family therapists, licensed clinical mental health counselors, licensed psychiatrists, and licensed psychologists. Conversion therapy is defined as any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to (1) change behaviors and gender expressions or (2) eliminate or reduce sexual or romantic attractions or feelings towards individuals of the same gender. Excludes from conversion therapy counseling that provides assistance to an individual undergoing gender transition or counseling that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development as long as such counseling does not seek to change an individual's sexual orientation or gender identity. Considers conversion therapy practiced by those named classes of professionals as unprofessional conduct and makes the professional subject to discipline. Directs the Department of Health and Human Services to report to the appropriate licensing entity any professional found to be in violation of the statute. Authorizes DHHS to adopt rules to set forth and implement reporting requirements for violations. Prohibits State funds, or any funds belonging to a municipality, agency, or political subdivision of this State, from being expended for the purpose of conducting conversion therapy, referring an individual for conversion therapy, health benefits coverage for conversion therapy, or a grant or contract with any entity that conducts conversion therapy or refers individuals for conversion therapy. Includes a severability clause.

Intro. by Marcus, Murdock, Chaudhuri.

GS 90

[View summary](#)

Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

S 400 (2023-2024) [PROHIBIT DEFENSE BASED ON SEX OR GENDER](#). Filed Mar 29 2023, *AN ACT TO PROHIBIT A DEFENSE TO HOMICIDE OR ASSAULT BASED ON THE DISCOVERY OF, PERCEPTION OF, OR BELIEF ABOUT ANOTHER PERSON'S SEX, GENDER, GENDER IDENTITY, OR SEXUAL ORIENTATION.*

Identical to [H520](#), filed 3/29/23.

Enacts GS 14-18.3, prohibiting as a defense to homicide prosecutions under Article 6, the discovery of, perception of, or belief about another person's actual or perceived sex, gender, gender identity, or sexual orientation, whether or not accurate,

specifying the same is not provocation negating malice as an element of murder. Specifies that the statute does not preclude the admission of evidence of a victim's or witness's conduct, behavior, or statements that is relevant or otherwise admissible.

Enacts identical provisions to GS 14-34.11, applicable to prosecutions for assault under Article 8.

Applies to offenses committed on or after December 1, 2023. Provides a savings clause for prosecutions for offenses committed before December 1, 2023.

Intro. by Mayfield, Grafstein.

[GS 14](#)

[View summary](#)

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

S 401 (2023-2024) [ENSURE SAME-SEX DOMESTIC VIOLENCE PROT. ORDER](#). Filed Mar 29 2023, *AN ACT TO ENSURE DOMESTIC VIOLENCE PROTECTIVE ORDERS ARE AVAILABLE FOR SAME-SEX COUPLES*.

Identical to [H 355](#), filed 3/13/23.

Current law allows persons in a personal relationship to obtain a protective order on the grounds of domestic violence if certain types of injuries occurred. GS 50B-1 defines personal relationship as including persons who either live together or who have lived together or who are in a current or former dating relationship as “persons of the opposite sex.” The act amends GS 50B-1 to remove references to persons of the opposite sex from those instances so that the law would enable couples of any sex to obtain a protective order if all other grounds for the order were present.

Intro. by Murdock, Meyer.

[GS 50B](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law, Health and Human Services, Health, Public Health](#)

S 402 (2023-2024) [FULL REPEAL OF HB2](#). Filed Mar 29 2023, *AN ACT TO REPEAL HOUSE BILL 2 IN ITS ENTIRETY BY REPEALING ARTICLE 81A OF CHAPTER 143 OF THE GENERAL STATUTES*.

Identical to [H 356](#), filed 3/13/23.

Repeals Article 81A, Preemption of Regulation of Access to Multiple Occupancy Restrooms, of GS Chapter 143.

Intro. by Meyer, Mayfield, Grafstein.

[GS 143](#)

[View summary](#)

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

S 403 (2023-2024) [PROHIBIT WEAPONS AT VOTING PLACE](#). Filed Mar 29 2023, *AN ACT TO PROHIBIT THE POSSESSION OR CARRYING OF A DANGEROUS WEAPON AT OR WITHIN A CERTAIN DISTANCE OF A VOTING PLACE*.

Enacts new GS 14-269.5 making it a Class 1 misdemeanor to possess, or carry (openly or concealed), any dangerous weapon (1) at a location used as a voting place, (2) within 100 feet from the door of entrance to a location used as a voting place, or (3) while in line to vote at a location used as a voting place. Specifies that this prohibition applies only while the location is open and being used as a voting place. Excludes law enforcement officers acting in discharge of their official duties. Applies to offenses committed on or after December 1, 2023.

Intro. by Marcus, Mayfield, Grafstein.

[GS 14](#)

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and
Procedure, Government, Elections**

S 404 (2023-2024) **EMPLOYMENT AND INDEPENDENCE ACT**. Filed Mar 29 2023, *AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE FOR A VOCATIONAL REHABILITATION PILOT PROGRAM.*

Requires the State Board of Community Colleges (Board) to establish the Vocational Rehabilitation Pilot Program (Program) for the academic years spanning from 2023-2024 to 2025-2026. Specifies that the Program's purpose is to provide support services to community college students with intellectual and developmental disabilities to help the students reach their goals for employment and independence without duplicating the existing vocational support network. Sets forth an application process for community colleges to participate in the Program. Requires the Board to contract with the Division of Vocational Rehabilitation (DVR) Services to place student counselors at select community colleges in the State. Permits appropriated funds to be used to meet any applicable federal matching requirements for student counselors and for costs related to Program administration.

For every year the Program operates, requires the Board, in consultation with DVR, to report on the impact of the Program on the participants including (1) participants' mental health and wellbeing and (2) job placement. Specifies that the first report is due by no later than March 15, 2024. Appropriates \$750,000 in nonrecurring funds from the General Fund to the Community Colleges Systems Office for the 2023-2024 fiscal year to implement the Program. Specifies that the funds will not revert at the end of the 2023-2024 fiscal year, but instead remain available until the end of the 2025-2026 fiscal year.

Effective July 1, 2023.

Intro. by Lee, Krawiec, Grafstein.

APPROP, STUDY

[View summary](#)

**Employment and Retirement, Government,
Budget/Appropriations, State Agencies, Community Colleges
System Office**

S 405 (2023-2024) **REQUIRE PHOTO ON HANDICAPPED PLACARD**. Filed Mar 29 2023, *AN ACT TO REQUIRE A PHOTOGRAPH ON HANDICAPPED PLACARDS ISSUED BY THE DIVISION OF MOTOR VEHICLES.*

Amends GS 20-37.5 as the title indicates. Effective October 1, 2023.

Intro. by Sanderson.

GS 20

[View summary](#)

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

S 406 (2023-2024) **CHOOSE YOUR SCHOOL, CHOOSE YOUR FUTURE**. Filed Mar 29 2023, *AN ACT TO EXPAND ELIGIBILITY FOR OPPORTUNITY SCHOLARSHIPS, TO REQUIRE A SEQUENCE OF COURSES FOR EARLY HIGH SCHOOL GRADUATION, AND TO ESTABLISH THE EARLY GRADUATE SCHOLARSHIP PROGRAM.*

Part I.

Repeals GS 115C-562.1(3), (3c), (5c), and (5e), thereby removing the definitions of *eligible students*, *full-time student*, *part-time student*, and reserve for opportunity scholarships. Amends GS 151C-562.1 to define *eligible student* for the opportunity scholarships as a student residing in state who has not yet received a high school diploma and meets the following: (1) is eligible to attend a North Carolina public school, provides that a child who is age 4 on or before April 16 is eligible to attend the following school year if the principal, or equivalent, of the school in which the child seeks to enroll finds that the student meets the requirements and those findings are submitted to the State Education Assistance Authority (Authority); (2) has not

been enrolled in a postsecondary institution as a full-time student taking at least 12 hours of academic credit; and (3) has not been placed in a nonpublic school or facility by a public agency at public expense.

Amends GS 115C-562.2 to allow scholarships to be used to attend any nonpublic school on either a full or part-time basis. Amends the amounts of the scholarships so that they are now as follows, beginning with the 2023-24 school year: (1) for students residing in households with an income level not in excess of the amount required for the student to qualify for the federal free or reduced-price lunch program, per year per eligible student, an amount of up to 100% of the average State per pupil allocation for average daily membership in the prior fiscal year; (2) for students residing in households with an income level between the amount required for the student to qualify for the federal free or reduced-price lunch program and not in excess of 200% of that amount, per year per eligible student, an amount of up to 90% of the average State per pupil allocation for average daily membership in the prior fiscal year; (3) for students residing in households with an income level of between 200% of the amount required for the student to qualify for the federal free or reduced-price lunch program and not in excess of 450% of that amount, per year per eligible student, an amount of up to 60% of the average State per pupil allocation for average daily membership in the prior fiscal year; and (4) for all students, per year per eligible student, an amount of up to 45% of the average State per pupil allocation for average daily membership in the prior fiscal year, unless the student qualifies for a higher amount above. Caps grants per year per eligible student, at 100% of the average State per pupil allocation for average daily membership in the prior fiscal year, and prohibits a grant from exceeding the required tuition and fees for the nonpublic school the eligible student will attend. Allows tuition and fees for a nonpublic school to include tuition and fees for books, transportation, equipment, or other required items.

Amends GS 115C-562.3 to require the Authority to establish a domicile determination system to verify the domicile requirements of GS 115C-366 (concerning the assignment of student to a particular school) and requires the establishment of rules for the determination of domicile. Requires the specified divisions, departments, board, and individuals to cooperate with the Authority in verifying evidence submitted to the Authority for the purposes of establishing the required domicile for State residency. Sets out items that the Authority must accept as evidence of domicile in the state. Requires the Authority to select and verify 4% (was, 6%) of applications for scholarship grant funds. Makes conforming changes.

Amends GS 115C-562.8 by changing the Opportunity Scholarship Grant Fund Reserve to the Opportunity Scholarship Grant Fund (Grant Fund). Increases the amounts that are to be appropriated from the General Fund to the Grant Fund for fiscal years 2025-26 and thereafter. Makes additional clarifying and technical changes.

Requires as part of a student's application for a scholarship grant for the 2023-24 and 2024-25 school years, a parent to certify to the Authority that the domicile requirements are met for eligibility purposes in lieu of submitting evidence to the Authority through a domicile determination system. Requires the Authority to select 6% of the applications for the 2023-24 and 2024-25 school years to verify the domicile requirements are met. Specifies what documents the Authority may accept. Allows revoking the scholarship if a parent does not cooperate with verification. Subjects a parent to administrative, civil, or criminal penalties for falsifying information.

Requires the Authority, by October 15, 2023, to transfer any unexpended balance remaining in the Opportunity Scholarship Grant Fund Reserve, as of June 30, 2023, to the Opportunity Scholarship Grant Fund. Requires for the 2023-24 year that these funds be used for the purposes in GS 115C-562.8 (the Opportunity Scholarship Grant Fund Reserve). Requires for the 2023-24 fiscal year, that any funds remaining in the Grant Fund following (1) the award of scholarship grants to all eligible students for the 2023-24 school year and (2) the use of funds as provided in GS 115C-562.8(d)(1) at the end of the fiscal year are not carried forward and instead revert to the General Fund.

Appropriates \$121 million from the General Fund to the Opportunity Scholarship Grant Fund for the 2024-25 fiscal year.

Effective June 30, 2023, and applies to applications for scholarship grants beginning with the 2023-24 school year.

Part II.

Amends GS 115C-12(9d)a, which allows the State Board of Education (Board) to develop exit standards for graduation from high school, by adding the requirement that the Board develop a sequence of courses available in all public school units to allow a student to complete the credits required for graduation in three years. Requires a student's transcript to indicate if the student graduates from a public high school within three years of entering the ninth grade. Prohibits requiring any additional credits beyond those mandated by the Board.

Repeals GS 115C-47(54a), which prohibited a local board of education from requiring a high school graduation project as a condition of graduation from high school unless the board provides from local funds a method of reimbursement of up to \$75 for expenses related to the high school graduation project for any student identified as an economically disadvantaged student. Makes conforming changes to GS 115C-12.

Amends GS 115C-12 by amending the State Board's duty to encourage early entry of motivated students into college programs to also include two-year, in addition to four-year, postsecondary programs. Also requires directing school guidance counselors to make students aware of the new early graduate scholarships.

Amends GS 115C-47, applicable to local boards of education; GS 115C-218.85, applicable to charter schools; and GS 115C-238.66 applicable to regional schools, to require offering a sequence of courses in accordance with GS 115C-12(9d) and advise students using this sequence to graduate within three years of entering the ninth grade of the availability of early graduate scholarships.

Requires the governing body of a public school unit to report to the Department of Public Instruction on the number of rising eleventh graders using the course sequence to graduate in a three-year period by May 15, 2025, and May 15, 2026, and requires DPI to then report to the Fiscal Research Division by June 1, 2025, and June 1, 2026.

Requires the State Board to adopt an emergency rule by August 1, 2023, to establish the graduation requirements and sequence of courses. Requires governing bodies of public school units to advise students beginning with the 2023-24 school year of this sequence, the option to graduate within three years of entering the ninth grade, and the availability of early graduate scholarships. Makes students enrolled in the tenth grade during the 2023-24 school year who complete the sequence of courses for graduation in three years eligible to graduate in the 2024-25 school year.

Part III.

Enacts new Part 6, in Article 23 of GS Chapter 116, establishing the early graduate scholarship program (program). Sets out eligibility requirements, including that the student seeking a degree, diploma, or certificate at an eligible postsecondary institution graduate from an NC public high school within three years of entering the ninth grade. Limits scholarship eligibility to no more than two semesters in the two academic years immediately following high school graduation.

Sets out requirements for establishing the amount of the scholarship. Sets out the priority of awards when there are not sufficient funds to provide each eligible student with a full scholarship.

Requires the Authority to administer the program and to adopt rules. Requires the Authority to report annually beginning in 2026 to the specified NCGA committee. Specifies that scholarship funds unexpended remain available for future scholarships.

Establishes the Reserve Fund for Early Graduate Scholarships consisting of: (1) funds appropriated by the NCGA for the Program from the General Fund and (2) interest earned on these funds. Allows the Authority to use up to 1.5% of the funds for administrative costs.

Requires scholarships to be awarded for use in the 2025-26 school year.

Intro. by Lee, Barnes, Galey.

GS 115C, GS 116

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, State Board of Education

S 407 (2023-2024) **UTERINE FIBROID RESEARCH AND EDUCATION ACT**. Filed Mar 29 2023, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONDUCT AND SUPPORT RESEARCH AND DISSEMINATE CURRENT INFORMATION REGARDING UTERINE FIBROIDS; AND APPROPRIATING FUNDS FOR THESE PURPOSES.*

Contains whereas clauses. Names the act the Uterine Fibroid Research and Education Act of 2023. Enacts GS 130A-131.26, pertaining to uterine fibroid research and education. Requires the Department of Health and Human Services (Department), in collaboration with certain entities, to do the following four things:

- Establish, expand, intensify, and coordinate programs to conduct and support research regarding uterine fibroids, with special emphasis on women who are members of racial and ethnic minority groups known to be disproportionately affected by uterine fibroids.
- Collect data on items and services furnished to women receiving Medicaid and other State-funded healthcare services who have been diagnosed with uterine fibroids and uterine fibroids-related symptoms for the purpose of assessing the frequency at which such women are furnished such items and services.
- Develop, annually update, and disseminate to healthcare providers information on uterine fibroids for the purpose of ensuring that healthcare providers remain informed about the most current information on uterine fibroids. Such information must include the elevated risk for women who are members of racial and ethnic minority groups to develop uterine fibroids and the range of available options for the treatment of symptomatic uterine fibroids, including non-hysterectomy drugs and devices approved under the federal Food, Drug, and Cosmetic Act.
- Beginning April 1, 2024, and annually thereafter, requires the Department to report to the specified NCGA committee on any research and education activities undertaken by the Department pursuant to GS 130A-131.26.

Effective October 1, 2023.

Effective July 1, 2023, appropriates \$500,000 to the Department in recurring funds for the 2023-24 fiscal year and \$500,000 in recurring funds for the 2024-25 fiscal year to conduct the activities listed above.

Intro. by Murdock, Salvador.

[APPROP, GS 130A](#)

[View summary](#)

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

S 408 (2023-2024) [PROPERTY TAX MODIFICATIONS](#). Filed Mar 29 2023, *AN ACT TO MODIFY THE MACHINERY ACT OF NORTH CAROLINA*.

To be summarized.

Intro. by Moffitt, Hanig, B. Newton.

[View summary](#)

S 409 (2023-2024) [INCREASE PUNISHMENT FOR CARGO THEFT](#). Filed Mar 29 2023, *AN ACT TO AMEND THE OFFENSE OF BREAKING OR ENTERING INTO OR BREAKING OUT OF RAILROAD CARS, MOTOR VEHICLES, TRAILERS, AIRCRAFT, BOATS, OR OTHER WATERCRAFT*.

Amends GS 4-56 (offense for breaking or entering into or breaking out of railroad cars, motor vehicles, trailers, aircraft, boats, or other watercraft) as follows. Deletes language establishing the offense as a Class I felony and a Class H felony if certain conditions are met. Instead, sets forth the following classifications:

- An offense is a Class H felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$1,500, but no more than \$20,000, aggregated over a 90-day period, or if all of the following conditions are met: (1) the railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind is owned or operated by any law enforcement agency, the North Carolina National Guard, or any branch of the Armed Forces of the United States; (2) the person knows or reasonably should know that the railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind is owned or operated by any law enforcement agency, the North Carolina National Guard, or any branch of the Armed Forces of the United States; (3) the offense does not involve the taking of goods, wares, freight, or any other thing of value that would be punishable under any other felony classifications set forth in GS 14-56.

- An offense is a Class G felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$20,000, but not greater than \$50,000, aggregated over a 90-day period.
- An offense is a Class F felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$50,000, but no more than \$100,000, aggregated over a 90-day period.
- An offense is a Class C felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$100,000 aggregated over a 90-day period.
- Contains a catchall, classifying an offense as a Class I felony for any other conduct that falls that falls within GS 14-56 that is not covered by the other felony classifications.

Permits aggregation of acts occurring in more than one county that would constitute an offense under GS 14-56 and involve the taking of goods, wares, freight, or any other thing of value. Sets forth rules for venue. Makes language gender neutral. Makes technical changes.

Amends GS 14-86.1 (pertaining to seizure and forfeiture of conveyances used in committing larceny and similar crimes) to allow for seizure of all conveyances (i.e., vehicles, boats, etc.) used by any person in the commission of GS 14-56.

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

Intro. by Britt, McInnis, Craven.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Transportation

S 410 (2023-2024) **EXPAND CERTAIN APA STANDING PROVISIONS**. Filed Mar 29 2023, *AN ACT TO PROVIDE A REBUTTABLE PRESUMPTION OF STANDING UNDER THE ADMINISTRATIVE PROCEDURE ACT FOR TRADE AND BUSINESS ASSOCIATIONS AND ORGANIZATIONS*.

Amends GS 150B-4, which requires an agency to issue a declaratory ruling as to the validity of a rule or as to the applicability of a given state of facts of a statute administered by the agency or of a rule or order of the agency when it is requested by an aggrieved person. Adds that there is a presumption that a person aggrieved includes an association, organization, society, or other entity collectively representing persons similarly situated to a person aggrieved. Allows the presumption to be rebutted by specific findings by the agency that the interests of the collective entity are not substantially similar to the person aggrieved with respect to the declaratory ruling sought. Applies to declaratory rulings requested on or after July 1, 2023.

Intro. by Moffitt, Sawrey, B. Newton.

GS 150B

[View summary](#)

Government, APA/Rule Making

S 411 (2023-2024) **STUDENTS IN HOME SCHOOL TAKE PSAT/AP**. Filed Mar 29 2023, *AN ACT TO ALLOW STUDENTS IN HOME SCHOOL TO PARTICIPATE IN ADVANCED PLACEMENT (AP) EXAMS AND THE PRELIMINARY SCHOLASTIC ASSESSMENT TEST (PSAT)*.

Amends GS 115C-174.18 to require a student in home school who has completed a course or test that shows equivalent competency to passing Algebra I to be given one opportunity to take the PSAT/NMSQT or PLAN at a school within the local school administrative unit which the student would have been assigned to if the student attended public school. Allows the local school administrative unit to charge the student the cost of the test. Makes organization changes to the statute.

Amends GS 115C-174.26 to allow a student in home school that meets the requirements to sit for an advanced exam to take the exam at a school within the local school administrative unit that the student would have been assigned to if the student attended public school. Limits the authority to set the requirements needed to sit for the exam to the chief administrator of the home school and the organization issuing the exam. Prohibits a local board of education from requiring a student in home school to complete a specific course to sit for the exam; allows charging the student the cost of the test. Amends the

information that local boards of education must provide to students and parents on advanced courses to also include the registration process for advanced exams. Requires a local board to provide information on the registration for advanced exams for students in home school when requested by a student or parent participating in home schooling.

Amends GS 115C-5 to define home school as a nonpublic school that operates under Part 3 (home schools) of Article 3 of GS Chapter 115C.

Intro. by P. Newton, Daniel, Hise.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 412 (2023-2024) [MODIFY FOOD ESTABLISHMENT RULES](#). Filed Mar 29 2023, *AN ACT TO MODIFY THE RULES RELATED TO THE INSPECTION OF ESTABLISHMENTS THAT PREPARE OR SERVE FOOD*.

To be summarized.

Intro. by Burgin, Lazzara, Krawiec.

[View summary](#)

S 413 (2023-2024) [FUNDS/DOLLY PARTON IMAGINATION LIB./CHILDCARE](#). Filed Mar 29 2023, *AN ACT TO INCREASE FUNDING TO DOLLY PARTON'S IMAGINATION LIBRARY AND TO APPROPRIATE FUNDS TO IMPROVE CHILD CARE ACCESS*.

To be summarized.

Intro. by Burgin, Krawiec, Hise.

[View summary](#)

S 414 (2023-2024) [AGRICULTURAL MANUFACTURING TAX INCENTIVE](#). Filed Mar 29 2023, *AN ACT TO INCENTIVIZE AGRICULTURAL MANUFACTURING IN NORTH CAROLINA*.

Reenacts Article 3J, Tax Credits for Growing Businesses, of GS Chapter 105 as it existed immediately before its repeal on January 1, 2014, except for GS 105-129.80, GS 105-129.82, GS 105-129.87, GS 105-129.88, and GS 105-129.90. Retitles the Article as Tax Credits for Agrimanufacturing.

Adds to the defined terms set forth in GS 105-129.81. Defines agrimanufacturing to mean the subset of manufacturing that processes raw materials and intermediate products derived from the agricultural sector to make them usable as food, feed, fiber, fuel, or industrial raw material. Defines qualifying agrimanufacturer to mean a taxpayer primarily engaged in agrimanufacturing at one or more locations for which the Secretary of Commerce has made a written determination of the amount of private funds that has been invested by the taxpayer on or after January 1, 2023, and that amount is in excess of \$1.5 million, excluding investments in real or business property prior to January 1, 2023. Deletes the following terms: agrarian growth zone, air courier services, aircraft maintenance and repair, company headquarters, customer service call center, electronic shopping and mail order houses, establishment, hub, information technology and services, motorsports facility, motorsports racing team, port enhancement zone, research and development, urban progress zone, warehousing, and wholesale trade.

Modifies GS 105-129.83 to now provide for a tax credit with respect to activities occurring at an establishment whose primary activity is agrimanufacturing (previously, enumerated several types of businesses covered under the Article's credit).

Eliminates provisions restricting company headquarters's eligibility under the Article. Limits the credit to development tier two

areas (was tier two and tier three areas) so long as the taxpayer meets the wage standard, and to development tier one areas without having to meet the wage standard. Establishes that jobs in a development tier two area satisfy the wage standard if they pay an average weekly wage that is equal to 90 percent of the lesser of the average wage for all insured private employers in the State and the average wage for all insured private employers in the county (previously the standard for certain businesses in a development tier one area). Maintains the eligibility requirements for the taxpayer to provide health insurance for all of the full-time jobs established with respect to the credit claimed. Now specifies that the taxpayer provides health insurance if it pays at least 50% of the premiums for health insurance coverage that equals or exceeds the minimum requirements for small group benefit plans under State or federal law. Eliminates provisions regarding credit installments or carry forward credits. Establishes that a taxpayer forfeits a credit if the taxpayer fails to timely create the number of required new jobs or required level of investment (was limited to forfeiture for investment in real property under GS 105-129.89, as repealed). Makes further conforming changes.

Makes conforming changes to GS 105-129.84 to provide for the credits allowed under the Article against income taxes levied under Article 4 only, and to eliminate provisions regarding carry forwards of credit. Makes conforming changes to GS 105-129.85 and GS 105-129.86, concerning fees and reports, and substantiation, respectively.

Enacts GS 105-129.90, establishing the credit for agrimanufacturing, upon satisfaction of the eligibility requirements set out in GS 105-129.83, to be the qualifying agrimanufacturer's cumulative amount of income taxes for the taxable year for a number of years, based on the job creation and investment threshold requirements in a development tier one or tier two area during the taxable year, with a three-year credit for 25 jobs and \$1.5 million investment threshold, a five-year credit for 50 jobs and \$2.5 million threshold, and a ten-year credit for 100 jobs and \$5 million threshold. Provides detailed provisions regarding job threshold and investment threshold calculation, providing for situations where a taxpayer creates new jobs at more than one eligible establishment; job location qualification; ineligibility of transferred jobs in the calculation; and qualifications of business or real property under the credit.

Effective for taxable years beginning on or after January 1, 2023.

Intro. by Burgin.

[GS 105](#)

[View summary](#)

[Agriculture, Business and Commerce, Government, Tax](#)

S 415 (2023-2024) [NC STATE HIGHWAY PATROL RETENTION ACT](#). Filed Mar 29 2023, *AN ACT APPROPRIATING FUNDS TO PROVIDE COMPENSATION INCREASES TO MEMBERS OF THE STATE HIGHWAY PATROL*.

Appropriates \$55,834,093 for 2023-24 and for 2024-25 from the General Fund to the Reserve for Compensation Increases, effective July 1, 2023, to establish raises for the State Highway Patrol (SHP), to establish the salary schedules in the act.

Requires, effective July 1, 2023, that SHP employees be paid based on the established experience based or rank-based schedules. Salaries range from \$56,000 to \$105,000 for experience ranging from 0 years to 8+ years. Salaries range from \$120,750 to \$224,612 for ranks ranging from Sergeant to Colonel.

Intro. by Britt, Perry, Lee.

[APPROP](#)

[View summary](#)

[Government, Public Safety and Emergency Management](#)

S 416 (2023-2024) [POPULAR ELECTION](#). Filed Mar 29 2023, *AN ACT TO ESTABLISH NORTH CAROLINA AS A MEMBER OF THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE*.

Identical to [H 191](#), filed 2/23/23.

As title indicates, amends GS Chapter 163, Article 18 (Presidential Electors), by adopting two new statutes to establish North Carolina as a member of the "Agreement Among the States to Elect the President by National Popular Vote." Enacts new GS 163-209.10, outlining the articles for membership and the appointment of presidential electors for the winner of the national

popular vote during the presidential election. Specifies that the agreement takes effect when states possessing a majority of the electoral votes have enacted the agreement and provides withdrawal procedures.

Enacts new GS 163-209.11, specifying the chief election official as the State Board of Elections and the presidential elector certifying official as the Governor. Outlines state-specific procedures applicable when the "Agreement Among the States to Elect the President by National Popular Vote" is effective, where the State Board of Elections will issue a certificate of the results of the election and the Governor will certify the elector slate nominated in association with the national popular vote winner.

Intro. by Waddell, Murdock, Applewhite.

GS 163

[View summary](#)

Government, Elections

S 417 (2023-2024) **MOBILE BEAUTY SALONS**. Filed Mar 29 2023, *AN ACT TO PROVIDE LICENSURE OF MOBILE BEAUTY SALONS AND ENSURE THEIR SAFE AND HYGIENIC OPERATION*.

Identical to [S 44](#), filed 1/31/23.

Makes the following changes to GS 88B, Cosmetic Art.

Expands authority of the Board of Cosmetic Art Examiners (Board) to include inspecting mobile salons. Adds the defined term mobile salon. Sets the licensing application and annual fee for mobile salons at \$25, with a \$10 late fee; the reinstatement fee is also \$25. Enacts GS 88B-15.1 authorizing motor homes to be used as a mobile salon for practicing cosmetic art. Provides for licensure, the Board's rulemaking, and other requirements regarding mobile salons, including requiring owners to provide the Board with a written monthly itinerary listing locations, dates, and hours of operation. Requires the Board to adopt related rules as expeditiously as possible. Makes conforming changes to the Chapter to make the Chapter's licensing requirements and regulations applicable to mobile salons.

Effective October 1, 2023.

Intro. by Waddell, Murdock, Applewhite.

GS 88B

[View summary](#)

Business and Commerce, Occupational Licensing

S 418 (2023-2024) **NC PAID FAMILY LEAVE INSURANCE ACT**. Filed Mar 29 2023, *AN ACT TO ENACT THE NORTH CAROLINA PAID FAMILY LEAVE INSURANCE ACT*.

Enacts new GS Chapter 96A, to be cited as the "North Carolina Paid Family Leave Insurance Act." Sets forth 15 defined terms applicable to the Chapter. Deems family and medical leave benefits provided under the terms of the Chapter payable beginning January 1, 2025, to covered individuals, defined as any person who submits an application and meets the monetary eligibility criteria set forth in GS 96-14.1(b) (regarding unemployment benefit claims) or is self-employed, elects coverage, and meets the requirements of new GS 96A-13, and meets the administrative requirements of the new Chapter and rules adopted thereunder, who meet one of five requirements, including: (1) is caring for a new child during the first year after birth, adoption, or child placement; (2) is caring for a family member with a serious health condition; (3) has a serious health condition; (4) is caring for a covered service member, as defined, who is the covered individual's next of kin or other family member; and (5) because of any qualifying exigency leave (as defined) arising out of the fact that the family member of the covered individual is on active duty or has been notified of an impending call or order to active duty in the Armed Forces. Defines family member, next of kin, and serious health condition. Specifies maximum duration of benefits based on eligibility requirement, ranging from 12 weeks to 26 weeks. Provides for payment within two weeks of filing a claim and every two weeks thereafter. Details parameters regarding the determination of payment amounts, with the maximum benefit permitted to be 100% of the statewide average weekly wage, and the minimum benefit set at \$100 per week, unless the covered individual's average weekly wage is less than the amount of that full wage. Bars payment for less than eight hours of leave taken in one work week.

Beginning on January 1, 2024, requires an employer to remit contributions to the Paid Family and Medical Leave Fund (Fund), at a rate annually fixed by the Assistant Secretary of the Division of Employment Security (DES). Provides for the setting of contribution rates for 2024 and 2025, and 2026 and subsequent years. Defines employer to include individuals, partnerships, associations, corporations, business trusts, legal representatives, any organized group, the State, political subdivisions of the State and any State or local agency or government instrumentality; excludes the federal government. Requires self-employed individuals electing coverage to make employer contributions as specified. Bars deducting more than 50% of the contribution required from that employee's wages.

Authorizes the covered individual to opt to take paid family and medical leave on an intermittent or reduced leave schedule with prorated benefits, subject to total leave permitted by the Chapter, employer operations, and notice requirements.

Provides for the covered individual's restoration by the employer to the position held by the covered individual upon expiration of family and medical leave as when the leave commenced, or a position with equivalent seniority, status, employment benefits, pay, and other terms and conditions of employment. Requires employers to maintain health benefits the covered individual had prior to leave for the leave duration, with the covered individual required to continue required applicable contributions. Details employer liability for violation of these protection provisions, including damages for compensation denied or lost with interest and liquidated damages, or actual monetary losses sustained up to a sum of 12 weeks of wages or salary of the employee, and equitable relief. Allows for an action for damages to be brought in any federal or State court by one or more employees against an employer for or on behalf of the employees or the employees and others similarly situated. Provides for the award of costs of the action, such as reasonable attorneys' fees and expert witness fees. Establishes a two year statute of limitations, with a three year statute of limitations for willful violations.

Bars prohibiting the exercise of or interfering with the exercise of rights protected by the Chapter. Prohibits retaliatory personnel actions or otherwise discriminating against a person for exercising protected rights under the Chapter. Includes a non-exhaustive list of rights protected under the Chapter to which the anti-retaliation provisions apply. Prohibits employers from counting leave taken under the Chapter as an absence that can lead to or result in an adverse employment action. Makes these provisions applicable to persons who allege violations in good faith. Provides for the liability provisions regarding employment protections to apply to the anti-retaliation provisions.

Provides for concurrent leave under the federal Family and Medical Leave Act (FMLA). Provides for concurrent or coordinated payments and leave for disability or family care leave under a collective bargaining agreement or employer policy subject to written notice. Provides for the effect of such agreements and policy on an individual's rights and an employer's duties under the Chapter.

Provides for notice by the employer upon hiring and annually thereafter and when leave under the Chapter is requested or anticipated, stating rights and terms under the Chapter, benefit amounts, benefit procedures, Chapter protections, and rights to bring an action or file a complaint. Also requires posting of the notice in languages specified. Authorizes the Assistant Secretary to adopt rules establishing additional notice requirements. Requires employees to provide notice to their employer as soon as practicable of their intention to take leave under the Chapter.

Directs the Assistant Secretary to establish a system for appeal of denied leave under the Chapter. Provides for judicial review of leave benefits after an aggrieved party has exhausted administrative remedies established by the Assistant Secretary. Directs the Assistant Secretary to implement confidentiality procedures for claims filed and appeals taken.

Mandates disqualification from benefits for a period of one year for willfully falsifying or misrepresenting material facts or willfully failing to report a material fact to obtain Chapter benefits. Provides for DES to seek repayment of benefits resulting from material misrepresentation or claim rejection following benefit payment. Authorizes the Assistant Secretary to waive all or some of the amount where recovery would be against equity or good conscience.

Requires self-employed persons electing coverage to do so for an initial period of at least three years, effective upon filing written notice with the Assistant Secretary and agreeing to supply necessary income information. Provides for coverage withdrawal by self-employed persons.

Directs DES to establish and administer a family and medical leave insurance program and collect employer contributions under the Chapter. Requires DES to begin receiving and paying Chapter claims by January 1, 2025. Provides for application content and procedures. Requires DES to notify an employer within five business days of a claim filed under the Chapter. Provides for information sharing subject to the individual's consent. Deems files and records of individuals under the Chapter confidential, with the individual or authorized representative authorized to review the records or receive information from the

records upon presentation of the individual's signed authorization. Directs the Department of Commerce to adopt necessary implementing rules for the Chapter.

Provides for notice upon filing a claim if the IRS determined benefits to be subject to federal income tax.

Creates the Fund within the custody of DES solely to pay Chapter benefits, with expenditure authority restricted to the Assistant Secretary or a designee. Authorizes investment actions with excess funds by DES.

Establishes an annual reporting requirement for DES to report to the NCGA, beginning January 1, 2026, on projected and actual program participation by leave purpose, gender of the beneficiary, premium rates, fund balances, outreach efforts, and family members for whom leave was taken to provide care, as applicable.

Directs DES to conduct a public education campaign, with outreach information available in specified languages.

Encourages DES to use State data collection and technology to the extent possible and to integrate the program with existing State policies.

Includes a severability clause.

Requires implementing rules to be adopted by October 1, 2023.

Intro. by Batch, Meyer, Salvador.

GS 96A

[View summary](#)

Business and Commerce, Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Government, State Agencies, Department of Commerce, State Government, Local Government, Health and Human Services, Health, Social Services, Public Assistance, Military and Veteran's Affairs

S 419 (2023-2024) **CAROLINA'S GUARANTEE SCHOLARSHIP PROGRAM**. Filed Mar 29 2023, *AN ACT TO ESTABLISH THE COMMUNITY COLLEGE PROMISE SCHOLARSHIP PROGRAM AND TO APPROPRIATE FUNDS FOR THAT PURPOSE*.

Adds new Part 7, Community College Promise Scholarship Program in Article 23 of GS Chapter 116, providing as follows. Enacts GS 116-209.95, establishing the Community College Promise Scholarship Program (program), administered by the State Education Assistance Authority (Authority). States the program's purpose. Directs the Authority to annually award scholarships to eligible students at an NC community college for each academic year up to the rate of tuition for one full-time student for that year. Scholarships can be awarded for a maximum of four academic semesters per student. Requires applicants to complete a FASFA and requires the Authority to reduce a scholarship award by the amount of any grants or scholarships the applicant received from other State or federal resources. Provides for scholarships to be awarded in the order application are received. Establishes student eligibility criteria, including that the student graduated with at least a 2.0 unweighted GPA from a public high school, nonpublic high school or home school located in the State in the academic semester prior to enrollment at the community college; the student qualifies as a resident for tuition purposes; and the student gains admission at a community college in a curriculum program. Allows for annual renewal of the scholarship if the student demonstrates a 2.3 GPA and maintains satisfactory progress. Directs the Authority to adopt rules for program administrative. Authorizes the Authority to use up to 5% of the funds appropriated each fiscal year for the program for administrative costs. Provides that unexpended funds do not revert to the General Fund.

Enacts GS 116-209.96 as follows. Directs the Authority to partner with the Community Colleges System Office and local school administrative units to place higher education advisors in secondary schools statewide to provide outreach to high school students on the program and other financial aid assistance programs. Requires the advisors to provide information to students on FASFA assistance and scholarship options.

Enacts GS 116-209.97, establishing an annual reporting requirement for the Authority to report on the program to the specified NCGA committee, beginning November 1, 2024. Specifies required content of the report.

Appropriates \$300,000 from the General Fund to the UNC Board of Governors (BOG) for 2023-24 to be allocated to the Authority to establish the program and the financial aid counseling program, as enacted.

Appropriates \$200 million in recurring funds from the General Fund to the BOG for 2024-25 to be allocated to the Authority for awarding scholarships and for the financial aid counseling program, as enacted, beginning with the 2024-25 academic year. Directs the Authority to use appropriated funds to hire 100 full-time higher education advisers to be assigned by the Authority pursuant to new GS 116-209.96.

Effective July 1, 2023, and applies beginning with the 2023-24 academic year.

Intro. by Batch, Garrett, Applewhite.

[APPROP, GS 116](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, UNC System, Local Government](#)

S 420 (2023-2024) [HOMEBUYER FAIRNESS & PROTECTION ACT](#). Filed Mar 29 2023, *AN ACT TO LIMIT THE AMOUNT OF DUE DILIGENCE FUNDS ALLOWED IN RESIDENTIAL REAL PROPERTY TRANSACTIONS AND TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING COALITION TO BE USED TO SUPPORT HOMEBUYER EDUCATION SERVICES IN THIS STATE*.

Enacts new Article 4, Unenforceable Real Estate Transaction Charges, in GS Chapter 22B, consisting of new GS 22B-30, providing as follows. Prohibits a seller of residential real property from requiring, as a condition of accepting an offer to purchase the property, due diligence funds (as defined) in an amount exceeding 1% of the purchase price contained in the offer to purchase. Voids any provision in a contract specifying an amount in excess of this amount. Makes the seller liable for court costs and attorneys' fees in an action to recover due diligence funds specified in a contract provision rendered void and unenforceable under this statute. Effective October 1, 2023.

Appropriates \$10 million for 2023-24 from the General Fund to the Office of State Budget and Management to be allocated as a grant to the North Carolina Housing Coalition, Inc., to support homebuyer education. Effective July 1, 2023.

Intro. by Batch, Garrett, Salvador.

[APPROP, GS 22B](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, State Agencies, Office of State Budget and Management](#)

S 421 (2023-2024) [STATE EMPLOYEES/PAID PARENTAL LEAVE](#). Filed Mar 29 2023, *AN ACT TO PROVIDE EIGHT WEEKS OF PAID PARENTAL LEAVE TO ALL STATE EMPLOYEES*.

Enacts GS 126-8.6, requiring eligible State employees, defined to mean employees employed full-time in a permanent, probationary or time-limited position having been continuously employed by the State agency for at least 12 months immediately preceding their first request for paid parental leave, to be granted eight weeks or 320 hours of fully paid parental leave. Requires each State agency head to adopt and implement the State employee paid parental leave program as follows. Requires parental leave to be granted upon verification of a qualifying event so long as the employee provides 10 weeks' notice of the intention to use parental leave unless good cause exists for not giving timely notice. Requires parental leave to be granted on a prorated and equitable basis for part-time State employees who work at least half-time. Mandates that parental leave be in addition to shared leave or other leave authorized by federal or state law, and requires the leave to be available without exhaustion of the employee's sick and vacation leave. Allows agency discretion in granting parental leave subject to public safety concerns. Bars using parental leave for retirement purposes and provides that parental leave has no cash value upon termination of employment. Specifies that the statute does not grant a private right of action.

Enacts GS 126-5(c19), making new GS 126-8.6 applicable to all State employees in the executive, legislative, and judicial branches.

Intro. by Batch, Garrett, Bode.

[GS 126](#)

[View summary](#)

[Employment and Retirement, Government, State Agencies, State Government, State Personnel](#)

S 422 (2023-2024) [HOMES FOR HEROES](#). Filed Mar 29 2023, *AN ACT TO CREATE A HOMEBUYERS' ASSISTANCE PROGRAM WITH THE NORTH CAROLINA HOUSING FINANCE AGENCY FOR FIRST-TIME HOMEBUYERS WHO WORK AS PUBLIC SERVANTS*.

Directs the Housing Finance Agency (Agency) to establish a program under the Homeownership Fund to provide assistance, in the form of reimbursement or direct payment, to first-time homebuyers that are employed full-time as public servants in the State. Defines public servant as an active duty member or veteran, law enforcement officer, teacher, firefighter, or EMS personnel employed in the State. Defines first-time homebuyer. Provides for the lesser of \$25,000 or 10% of the purchase price for down payment assistance, mortgage insurance premium assistance, and closing costs. Allows for monthly mortgage insurance payment assistance for up to 60 months for any single first-time homebuyer. Authorizes the Agency to adopt, modify, or repeal rules and regulations to implement the act. Includes other defined terms.

Appropriates \$200 million in recurring funds from the General Fund to the Homeownership Assistance Fund for 2023-24 to be used to implement the act.

Effective July 1, 2023.

Intro. by Batch, Garrett, Smith.

[APPROP](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Education, Government, Budget/Appropriations, Public Records and Open Meetings, Military and Veteran's Affairs](#)

S 423 (2023-2024) [HOMEOWNER SOLAR EXPANSION ACT](#). Filed Mar 29 2023, *AN ACT TO CLARIFY THE LAW GOVERNING DEED RESTRICTIONS ON SOLAR COLLECTORS AND TO ALLOW FOR CERTAIN THIRD-PARTY SALES OF RENEWABLE ENERGY*.

Part I.

Amends GS 22B-20, which deems void any deed, restriction, covenant, or other binding agreement that runs with the land that would prohibit or have the effect of prohibiting the installation of solar collectors for residential property on the subject land. Specifically allows for binding agreements that run with the land to regulate the location or screening of solar collectors so long as the agreements do not have the effect of reducing the operating efficiency (was, does not have the effect of preventing the reasonable use) of a solar collector for a residential property. Defines reducing the operating efficiency of a solar collector as regulation of the location or screening that would decrease the efficiency or performance of the solar collector by more than 10% of the amount that was originally specified for the solar collector. Eliminates subsection (d) which allows for a binding agreement that runs with the land to prohibit the location of solar collectors that are visible by a person on the ground in one of three ways, such as on the facade of a structure that faces areas open to common or public access.

Part II.

Amends the definition of public utility in GS 62-3 to include a person who constructs or operates a renewable energy facility on the site of a customer's property and sells the electricity produced to that customer pursuant to GS 62-353, as enacted.

Enacts GS 62-353 to exempt from the sales restrictions of GS 62-110.2 and from regulation as a public utility, third-party owners or operations of on-site generating equipment located on a customer's property where the electricity will be sold and consumed, if (1) the facility is sized to supply no more than 125% of the average annual consumption of electricity by the customer at that site, and (2) the owner reports to the Utilities Commission (Commission) the proposed construction of the facility prior to beginning construction. Allows for net metering arrangement with applicable public utilities. Defines the customer's property for purposes of the statute. Authorizes the Commission to approve a new schedule of fees or credits for customers who choose to use distributed energy resources with a utility or nonutility provider, applies in a nondiscriminatory manner and only after investigation of the costs and benefits of customer-sited generation.

Adds to the fees the Commission may authorize under GS 62-300 to include a \$25 fee for each report of proposed construction filed by a third-party owner or operator of an on-site renewable energy facility subject to GS 62-353.

Part II is effective July 1, 2023.

Intro. by Batch, Garrett, Marcus.

[GS 62](#)

[View summary](#)

[Environment, Energy, Public Enterprises and Utilities](#)

S 424 (2023-2024) [RESTORE THE AMERICAN DREAM](#). Filed Mar 29 2023, *AN ACT TO EXPAND WORKFORCE HOUSING BY PROVIDING CURRENT AND ONGOING FUNDING FOR THE HOUSING TRUST FUND*.

To be summarized.

Intro. by Batch, Garrett, Chaudhuri.

[View summary](#)

S 425 (2023-2024) [MEDICAID AGENCY OMNIBUS.-AB](#) Filed Mar 29 2023, *AN ACT TO UPDATE LAWS PERTAINING TO MEDICAID AND BEHAVIORAL HEALTH*.

To be summarized.

Intro. by Krawiec, Burgin, Corbin.

[View summary](#)

S 426 (2023-2024) [STATE AUDITOR/ACCESS TO MEDICAL BOARD RECORDS](#). Filed Mar 29 2023, *AN ACT TO GIVE THE STATE AUDITOR ACCESS TO THE MEDICAL BOARD'S RECORDS*.

To be summarized.

Intro. by Krawiec, Hise, Adcock.

[View summary](#)

S 427 (2023-2024) [REVISE DOT RESIDUE PROPERTY DISPOSAL](#). Filed Mar 29 2023, *AN ACT TO REVISE THE PROCEDURES FOR DISPOSAL OF DEPARTMENT OF TRANSPORTATION RESIDUE PROPERTY AND FOR ENCROACHMENTS*.

To be summarized.

Intro. by Mayfield, Sawyer.

[View summary](#)

LOCAL/SENATE BILLS

S 265 (2023-2024) [INCREASE MUNICIPAL ELECTION PARTICIPATION ACT](#). Filed Mar 9 2023, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR MUNICIPALITIES IN HENDERSON, POLK, AND RUTHERFORD COUNTIES ARE HELD IN EVEN-NUMBERED YEARS AND TO EXTEND THE TERMS OF THE MAYOR IN THE TOWN OF TRYON AND ALL ELECTED OFFICERS IN THE TOWN OF RUTH FROM TWO TO FOUR YEARS.*

Senate committee substitute to the 1st edition makes the following changes.

Part I.

Makes technical and organizational changes to the act's amendments to the Charter of the Village of Flat Rock, SL 1995-48. Specifies that regular municipal elections will be held at the time of the general election in even-numbered years, and that elections will be conducted in accordance with the uniform municipal election laws unless otherwise provided. Removes changes to the SL and sets the provisions out independently.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Fletcher, SL 1989-44. Specifies that regular municipal elections will be held at the time of the general election in even numbered years, and that elections will be conducted in accordance with the uniform municipal election laws unless otherwise provided. Removes changes to the SL and sets the provisions out independently. Makes changes to the staggering of terms office for council members.

Makes technical and organizational changes to the act's amendments to the Charter of the City of Hendersonville, SL 1971-874, as amended. Deletes proposed changes to Section 3.3 of the Charter of the City of Hendersonville. Instead, incorporates those changes, with the following additional changes to Article IV of the charter. Specifies that the Mayor and council members will be elected on a nonpartisan basis and results determined by the primary method as specified in GS 163-294. Provides for elections at the time of the general election in each even-numbered year. Specifies that elections will be conducted in accordance with the uniform municipal election laws unless otherwise provided. Removes some changes to the SL and sets the provisions out independently.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Laurel Park, SL 2000-8. Requires elections to be held at the time of the general election. Repeals Sections 3.2 and 3.3 of the charter (pertaining to election of the Mayor and commissioners). Instead, enacts those changes through Section 3.1 of the charter and the act itself.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Mills River, SL 2003-242. Requires elections to be held at the time of the general election. Amends the number of council members whose terms are to expire in 2025 and are extended by one year. Removes some changes to the SL and sets the provisions out independently.

Part II.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Columbus, SL 1985-46, as amended. Specifies that the town must use the plurality method for cities specified in GS 163-292 to determine the election. (Currently, just specifies plurality method of election with no statutory cite.) Requires elections to be held at the time of the general election. Specifies that the mayor will stand for election in 2024 and every two years thereafter. Removes specified staggering of council member terms and instead sets out a provision outside of the SL requiring three Council members to be elected for staggered terms in 2024.

Deletes proposed amendments to the Charter of the City Saluda. Instead, makes the following changes through the act itself. Requires that the election of the mayor and commissioners to be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws. Provides for the election of commissioners and the mayor to four-year terms in even-numbered years. Provides for staggered terms of commissioners in 2024 and 2026, and election of the mayor in 2026. Prohibits conducting municipal elections until 2024. Extends by one year the terms of commissioners and the mayor set to expire in 2023 and 2025 who are serving on the date the act becomes law.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Tryon, SL 1971-441, as amended. Specifies that regular municipal elections will be held at the time of the general election. Specifies that the election of the mayor and commissioners will be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292. Specifies that elections will be conducted in accordance with the uniform municipal election laws unless otherwise provided. Moves provisions for the staggering of terms into a stand alone provision.

Part III.

Amends the Charter of the Town of Bostic, SL 1913-263, as amended to provide for the election of mayor and town commission members to four-year terms in even-numbered years (rather than odd-numbered years) for staggered terms. Deletes outdated language. Specifies that the election of the mayor and commissioners will be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws unless otherwise provided. Prohibits conducting municipal elections until 2024. Extends by one year the terms of commission members and mayor set to expire in 2023 and 2025 who are serving on the date the act becomes law. Moves provisions for the staggering of terms into a stand alone provision.

Makes technical and organizational changes to the act's amendments to the Charter of Chimney Rock Village, SL 1991-444. Further amends the SL to specify that regular municipal elections will be held at the time of the general election in even-numbered years, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Moves provisions for the staggering of terms into a stand alone provision.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Ellenboro, SL 1983-425, as amended. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Specifies that the town must use the plurality method for cities specified in GS 163-292 to determine the election. (Currently, just specifies plurality method of election with no statutory cite.) Deletes outdated language. Moves provisions for the staggering of terms into a stand alone provision.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Forest City, SL 1981-209, as amended. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Specifies that the town must use the plurality method for cities specified in GS 163-292. Removes outdated language. Moves provisions for the staggering of terms into a stand alone provision.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Lake Lure, SL 1987-194. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Moves provisions for the staggering of terms into a stand alone provision.

Deletes act's amendments to the Charter of the Town of Ruth, SL 1893-55, as amended. Instead enacts those changes through the act itself with the following additions. Specifies that regular municipal elections will be held at the time of the general election, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Specifies that the election of the mayor and commissioners will be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292.

Makes technical and organizational changes to the act's amendments to the Charter of the Town of Rutherfordton, SL 1979-350, as amended. Specifies that the election of the mayor and council members will be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292. Specifies that regular municipal elections will be held at the time of the

general election, and that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Moves provisions for the staggering of terms into a stand alone provision.

Deletes proposed changes to the Charter of the Town of Spindale, SL 1975-378, as amended. Now amends the charter to provide for election of commissioners and the mayor to four-year terms (was, two-year terms) at the time of the general election in even-numbered years rather than odd-numbered years, beginning in 2024. Staggers elections of commissioners. Specifies that the election of the mayor and commissioners will be on a nonpartisan plurality basis and the results determined in accordance with GS 163-292. Specifies that elections will be conducted in accordance with the uniform municipal election laws except as otherwise provided. Specifies that in 2024 and quadrennially thereafter, three commissioners will be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two commissioners will be elected to serve four-year terms.

Intro. by Moffitt.

[Henderson, Polk, Rutherford](#)

[View summary](#)

[Government, Elections](#)

S 286 (2023-2024) [MAKE PAMLICO BD. OF ED. ELECT. PARTISAN](#). Filed Mar 9 2023, *AN ACT TO PROVIDE FOR THE PARTISAN ELECTION OF MEMBERS OF THE PAMLICO COUNTY BOARD OF EDUCATION*.

Senate committee substitute to the 1st edition makes the following changes.

Repeals the entirety (was, remainder) of SL 1981-551, concerning the Pamlico County Board of Education (Board).

No longer amends Section 11 of SL 1987-939, and instead, repeals Sections 11 (which required the Board to be elected on a nonpartisan basis), 13 (an outdated provision that specified that the act did not impact the election of individuals elected in specified years or a specified election), and 10, as amended (which set out staggered terms).

Amends SL 1987-939, Section 8, as follows. Adds that the election of members of the Board is on a partisan basis (was, nonpartisan under Section 11) at the time of the general election in each even-numbered year, with members serving staggered four-year terms. Requires elections to be conducted in accordance with GS Chapters 115C and 163. Vacancies are to be filled in accordance with GS 115C-37.1 (partisan appointment methods to fill vacancies).

Removes proposed new Section 11a to SL 1987-939, which concerned the filling of vacancies.

Requires beginning in 2024, that one member be elected from Districts 1, 2, 3, and 5 to serve four-year terms. Requires beginning in 2026 that one member be elected from District 4 and two from the county at-large to serve four year terms.

Adds that any vacancy on the Board for a member elected in 2020 or 2022 must be filled by the remaining members of the Board. Makes conforming and clarifying changes.

Amends the effective date so that the act applies to elections held on or after the date the act becomes law (was, applies to elections held in 2024 and thereafter).

Intro. by Sanderson.

[Pamlico](#)

[View summary](#)

[Education, Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REQUIRE SHERIFFS TO COOPERATE WITH ICE.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 48: DELAY EFFECTIVE DATE OF APPRAISAL BOARD RULES. (NEW)

House: Reptd Fav Com Substitute

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

H 98: MEDICAL FREEDOM ACT.

House: Reptd Fav Com Sub 2

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

H 124: AUTHORIZE HAW RIVER STATE TRAIL.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 142: PROTECT OUR STUDENTS ACT.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 168: DNCR AGENCY BILL.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 180: ADOPT HAYWOOD COUNTY AS ELK CAPITAL OF NC.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 190: DEPT. OF HEALTH AND HUMAN SERVICES REVISIONS.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 194: STATE BAR AUTHORITY FOR CERTAIN FEES.-AB

House: Reptd Fav

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

H 205: TRANSPARENT GOVERNANCE & INTEGRITY ACT.-AB

House: Reptd Fav Com Sub 2

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

H 210: REDUCE BARRIERS TO STATE EMPLOYMENT.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 234: CONFORM PRIVILEGE EXEMPTIONS.

House: Reptd Fav

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

H 248: REMEMBER 9/11 WITH FREEDOM FLAG.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 252: MULTI JURISDICTIONAL PROPERTY.

House: Withdrawn From Com

House: Placed On Cal For 03/30/2023

H 296: ADOPT VETERANS HISTORY MUSEUM.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 347: SPORTS WAGERING.

House: Amend Failed A9

House: Amend Failed A10

House: Amend Failed A11

House: Amend Failed A12

House: Amend Failed A13

House: Amend Failed A14

House: Amend Failed A15

House: Amend Failed A16

House: Amend Failed A17

House: Passed 3rd Reading

H 364: 2023 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

House: Reptd Fav

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

H 365: REQUIRE THAT JURORS BE US CITIZENS.

House: Reptd Fav Com Substitute

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

H 377: GRADE "A" DAIRY ASSESSMENT ACT.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 382: REGISTERED NURSES IN SCHOOLS.

House: Withdrawn From Com

House: Placed On Cal For 03/30/2023

H 392: REFLEXOLOGIST RIGHT TO WORK ACT.

House: Reptd Fav

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

H 411: GENERAL ASSEMBLY APPOINTMENTS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 422: UNFAIR REAL ESTATE AGREEMENTS ACT.

House: Reptd Fav Com Substitute

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

H 491: STEELE CREEK INVESTMENT & IMPROVEMENT ACT.

House: Passed 1st Reading

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

H 492: POST NC VETERANS' BENEFITS.

House: Passed 1st Reading

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

H 493: FUNDS FOR RUTHERFORD ATHLETIC TRAINING.

House: Passed 1st Reading

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

H 494: STRONG MINDS PILOT PROGRAM.

House: Passed 1st Reading

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

H 495: AGGREGATION OF MULTIPLE FINANCIAL CRIMES.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

H 496: NORTH CAROLINA WORK AND SAVE.

House: Passed 1st Reading

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

H 497: FUNDS FOR NC ARTS COUNCIL.

House: Passed 1st Reading

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

H 498: K-5 ART AND MUSIC.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House

H 499: SUPPORT LUMBEE FAIRNESS ACT.

House: Passed 1st Reading

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

H 500: NCCWBTC/MEDICAID-RELATED RECS.

House: Passed 1st Reading

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

H 501: FUNDS FOR TRICOUNTY AIRPORT AT H JOYNER FIELD.

House: Passed 1st Reading

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

H 502: FUNDS FOR SPRING LAKE SOFTWARE UPDATE.

House: Passed 1st Reading

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

H 503: STORM RESILIENCY STUDY.

House: Passed 1st Reading

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

H 504: REMOVE BARRIERS TO LABOR ORGANIZING.

House: Passed 1st Reading

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

H 505: MAKE LEGISLATORS' DOCS PUBLIC RECORDS.

House: Passed 1st Reading

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

H 506: FUNDS FOR LOGAN COMMUNITY PROJECTS.

House: Passed 1st Reading

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

H 507: FUNDS FOR UNION RURAL FD OF HERTFORD CO.

House: Passed 1st Reading

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

H 508: FUNDS FOR GATES CO. SHERIFF'S OFFICE.

House: Passed 1st Reading

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

H 515: FUNDS FOR CAMDEN CO. SHERIFF'S OFFICE.

House: Filed

H 516: FUNDS FOR HISTORIC MORGAN SCHOOL.

House: Filed

H 517: LIABILITY PROTECTION/DISPOSAL OF REMAINS.

House: Filed

H 518: EQUALITY FOR ALL.

House: Filed

H 519: MENTAL HEALTH PROTECTION ACT.

House: Filed

H 520: PROHIBIT DEFENSE BASED ON SEX OR GENDER.

House: Filed

H 521: FUNDS FOR NC TROOPERS ASSOC. CAISSON UNIT.

House: Filed

H 522: REPEAL PRELITIGATION PUBLIC RECORDS MEDIATION.

House: Filed

H 523: FIRST RESPONDERS MENTAL HEALTH.

House: Filed

H 524: WRC & CRIME LAB/INCREASES/POSITIONS/STUDY.

House: Filed

H 525: ROANOKE-CHOWAN CC FUNDS.

House: Filed

H 526: TURNING HIGH ACHIEVING STUDENTS INTO TEACHERS.

House: Filed

H 527: HIGHWAY SAFETY OMNIBUS/ADDIT'L MAGISTRATES.

House: Filed

H 528: BUTNER TRANSPORTATION STUDY FUNDS.

House: Filed

H 529: LIMIT HEALTH CARE POWER OF ATTORNEY.

House: Filed

H 530: ADVOCACY FOR BONE MARROW EDUC. & AMP REGISTRATION.

House: Filed

H 531: CHARTER SCH. TUITION - OUT-OF-STATE STUDENTS.

House: Filed

H 532: MODIFY JUDICIAL RETIREMENT AGES.

House: Filed

H 533: HUMAN LIFE PROTECTION ACT OF 2023.

House: Filed

H 534: PROTECTING SCHOOL EMPLOYEES.

House: Filed

H 535: SOLAR CAPACITY LIMIT ELIMINATION.

House: Filed

H 536: LOGGERHEAD TURTLE/STATE SALTWATER REPTILE.

House: Filed

H 537: WORKFORCE HOUSING ACT.

House: Filed

H 538: ISOTHERMAL COMMUNITY COLLEGE CAPITAL FUNDS.

House: Filed

S 27: SOIL AND WATER/PARTISAN ELECTION OPTION. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

House: Veto Overridden

Senate: Ch. SL 2023-8

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 90: SEARCHES OF STUDENT'S PERSON.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 123: CERTIFICATE OF INSURANCE CLARIFICATIONS.

Senate: Reptd Fav

S 134: CURB UNDERWRITING ABUSES.

Senate: Reptd Fav

S 135: REGISTERED VET. TECH. MODIFICATION.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 174: REV. LAWS TECH., CLARIFYING, & ADMIN. CHNGS.

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 193: CAREER DEVELOPMENT PLANS.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 206: STOP COUNTERFEIT PILLS ACT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 211: PERMIT MULTISTATE WATER/SEWER AUTHORITY.

Senate: Reptd Fav

S 220: CONFIRM PHIL BADDOUR/INDUSTRIAL COMMISSION.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 221: CONFIRM THERESA STEPHENSON/BD OF REVIEW.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 228: PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 236: MODERNIZE AUDIOLOGY PRACTICE LAWS.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 239: REDUCE BARRIERS TO STATE EMPLOYMENT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 246: PROPERTY OWNERS PROTECTION ACT.

Senate: Reptd Fav

S 267: RESTRICT DETACHED CATALYTIC PURCHASES.

Senate: Reptd Fav

S 274: HOME ASSISTANCE SERVICES. (NEW)

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 327: GSC ASSIGNMENTS OF ERROR.

Senate: Reptd Fav

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

S 380: PHYSICIAN PASSIVE INCOME PROHIBITED.

Senate: Passed 1st Reading

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

S 381: FIRE INVEST'N LAW/BACKGRD. CHECK REVISIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 382: DENTAL PRACTICE ACT CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 383: PROTECT OUR YOUTH IN FOSTER CARE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 384: CARBON MONOXIDE DETECTORS/SCHOOL BLDGS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 385: ANESTHESIA CARE/TEFRA COMPLIANCE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 387: REVISE MOTOR VEHICLE EMISSIONS LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 388: WAGER EXCISE TAX.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 389: RAISE THE AGE FOR DONATING BLOOD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 390: REENACT CHILD TAX CREDIT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 391: NCSSM PLATE.

Senate: Filed

S 392: NC TIME ZONE/OBSERVE DST ALL YEAR.

Senate: Filed

S 393: CRNA SUPERVISION MODIFICATIONS.

Senate: Filed

S 394: LEGISLATIVE REFORM COMMISSION.

Senate: Filed

S 395: REINSTATE MERCHANT'S DISCOUNT.

Senate: Filed

S 396: COMPACT TO AWARD PRIZES FOR CURING DISEASES.

Senate: Filed

S 397: NONPROFIT FUNDRAISING SALES TAX EXEMPTION.

Senate: Filed

S 398: EQUALITY FOR ALL.

Senate: Filed

S 399: MENTAL HEALTH PROTECTION ACT.

Senate: Filed

S 400: PROHIBIT DEFENSE BASED ON SEX OR GENDER.

Senate: Filed

S 401: ENSURE SAME-SEX DOMESTIC VIOLENCE PROT. ORDER.

Senate: Filed

S 402: FULL REPEAL OF HB2.

Senate: Filed

S 403: PROHIBIT WEAPONS AT VOTING PLACE.

Senate: Filed

S 404: EMPLOYMENT AND INDEPENDENCE ACT.

Senate: Filed

S 405: REQUIRE PHOTO ON HANDICAPPED PLACARD.

Senate: Filed

S 406: CHOOSE YOUR SCHOOL, CHOOSE YOUR FUTURE.

Senate: Filed

S 407: UTERINE FIBROID RESEARCH AND EDUCATION ACT.

Senate: Filed

S 408: PROPERTY TAX MODIFICATIONS.

Senate: Filed

S 409: INCREASE PUNISHMENT FOR CARGO THEFT.

Senate: Filed

S 410: EXPAND CERTAIN APA STANDING PROVISIONS.

Senate: Filed

S 411: STUDENTS IN HOME SCHOOL TAKE PSAT/AP.

Senate: Filed

S 412: MODIFY FOOD ESTABLISHMENT RULES.

Senate: Filed

S 413: FUNDS/DOLLY PARTON IMAGINATION LIB./CHILDCARE.

Senate: Filed

S 414: AGRICULTURAL MANUFACTURING TAX INCENTIVE.

Senate: Filed

S 415: NC STATE HIGHWAY PATROL RETENTION ACT.

Senate: Filed

S 416: POPULAR ELECTION.

Senate: Filed

S 417: MOBILE BEAUTY SALONS.

Senate: Filed

S 418: NC PAID FAMILY LEAVE INSURANCE ACT.

Senate: Filed

S 419: CAROLINA'S GUARANTEE SCHOLARSHIP PROGRAM.

Senate: Filed

S 420: HOMEBUYER FAIRNESS & PROTECTION ACT.

Senate: Filed

S 421: STATE EMPLOYEES/PAID PARENTAL LEAVE.

Senate: Filed

S 422: HOMES FOR HEROES.

Senate: Filed

S 423: HOMEOWNER SOLAR EXPANSION ACT.

Senate: Filed

S 424: RESTORE THE AMERICAN DREAM.

Senate: Filed

S 425: MEDICAID AGENCY OMNIBUS.-AB

Senate: Filed

S 426: STATE AUDITOR/ACCESS TO MEDICAL BOARD RECORDS.

Senate: Filed

S 427: REVISE DOT RESIDUE PROPERTY DISPOSAL.

Senate: Filed

LOCAL BILLS

H 231: YANCEY COUNTY OCCUPANCY TAX MODIFICATION. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 232: MITCHELL COUNTY OCCUPANCY TAX INCREASE.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 233: AVERY COUNTY OCCUPANCY TAX MODIFICATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 238: TOWN OF CLAYTON OCCUPANCY TAX.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 240: TOWN OF FOUR OAKS OCC. TAX AUTHORIZATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 306: SCHOOL CALENDAR FLEXIBILITY/GRANVILLE & VANCE.

House: Withdrawn From Com

House: Placed On Cal For 03/30/2023

S 68: CITY OF HENDERSONVILLE/PARKING METER PROCEEDS.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 200: ONSLOW COUNTY PUBLIC NOTICES. (NEW)

Senate: Reptd Fav

S 208: GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 265: INCREASE MUNICIPAL ELECTION PARTICIPATION ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 276: UNION COUNTY/USE WHEEL LOCKS.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 286: MAKE PAMLICO BD. OF ED. ELECT. PARTISAN.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 379: ALLOW CHANGES/RESIDENT DISTRICTS/JOHNSTON CO.

Senate: Reptd Fav

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

S 386: AUTH. ELECTORAL DISTRICTS/CITY OF NORTHWEST.

Senate: Passed 1st Reading

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

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