

The Daily Bulletin: 2023-04-04

PUBLIC/HOUSE BILLS

H 149 (2023-2024) [REMOTE & VIRTUAL CHARTER/CC PRES CONFIRMATION. \(NEW\)](#) Filed Feb 20 2023, *AN ACT TO PROVIDE FOR REMOTE CHARTER ACADEMIES, TO PROVIDE A ONE-YEAR EXTENSION OF THE VIRTUAL CHARTER SCHOOL PILOT PROGRAM, AND TO REQUIRE THE PRESIDENT OF THE COMMUNITY COLLEGE SYSTEM TO BE CONFIRMED BY THE GENERAL ASSEMBLY.*

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

Organizes the act into Parts.

Part I.

Amends new GS 115C-218.124 to allow a nonprofit that has a school code for in-person instruction in addition to a school code for a remote charter academy to provide all financial reporting for both school codes jointly in a form directed by the Department of Public Instruction.

Part II.

Eliminates the proposed changes to Section 8.35(e), SL 2014-100, as amended, regarding the funding of the virtual charter school pilot program.

Makes a technical change to the effective date provision.

Part III.

Adds the following new content. Amends GS 115D-3, establishing a procedure for the State Board of Community Colleges (State Board) to elect a President of the Community Colleges System. Requires at least three final candidates to be submitted to the full State Board from which the Board must conduct a vote, whereby the candidate who receives a majority of votes of the entire State Board is elected, subject to legislative confirmation pursuant to new GS 115D-3.1. Eliminates the catch-all provision in current law that grants the State Board all other powers, duties, and responsibilities delegated to the State Board of Education affecting the Community College System Office not otherwise stated in GS Chapter 115D.

Enacts GS 115D-3.1, requiring the State Board to submit the name of the person elected as President for confirmation to the presiding officers of each NCGA chamber by the fifteenth day following the election. Requires the NCGA to adopt a joint resolution to confirm or deny confirmation. Prohibits the person elected from serving as President until a joint resolution is adopted, but permits serving as interim-President. Deems the confirmation denied if no joint resolution is adopted by the thirtieth day following receipt of the name by presiding officers. Bars persons denied confirmation from serving as President or interim-President.

Makes organizational changes to the effective date provisions.

Changes the act's titles.

Intro. by Elmore, Hardister, Paré.

GS 115C, GS 115D

[View summary](#)

**Education, Elementary and Secondary Education,
Government, General Assembly, State Agencies, Community
Colleges System Office, State Board of Education**

H 273 (2023-2024) [LOCAL GOVERNMENT BUDGET PROCESS. \(NEW\)](#) Filed Mar 6 2023, *AN ACT TO INCREASE INFORMATION IN THE BUDGET OFFICER'S MESSAGE, TO REQUIRE AN ADDITIONAL BUDGET HEARINGS UNDER THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT AND WRITTEN NOTICE OF PROPOSED INCREASES IN THE PROPERTY TAX RATE OR PUBLIC ENTERPRISE RATES WHEN THE LOCAL GOVERNMENT IS ON THE UNIT ASSISTANCE LIST.*

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

Revises the proposed changes to GS 159-12 pertaining to budget hearing requirements under the Local Government Budget and Fiscal Control Act as follows.

Maintains the existing requirement for local governments to hold a public hearing prior to adopting the budget ordinance, eliminating the proposed requirement to hold two hearings prior to adoption. Instead, requires, in each fiscal year the local government is on the unit assistance list and the fiscal year after removal, only the governing board of a unit on the assistance list must hold an additional public hearing on a separate date. Requires the previously specified revenue information to be provided at one of the required public hearings. Limits the proposed notice requirements for instances when the proposed budget ordinance raises the ad valorem property tax rate, raises the rates charged by a public enterprise fund, or transfers any amount from the general fund to the public enterprise fund, to governing boards of units on the unit assistance list only. More specifically requires notice for increases ad valorem property tax rates to be sent to affected property owners (was, property owners in the jurisdiction of the board). For required notices related to the public enterprise fund, requires notice to each periodically billed customer of the fund rather than each user of the fund, and allows for notice on or with any periodic billing addressed to the customer of record. Specifies that a raise in rates includes an increase in the rate charged and an increase in base rates of a public enterprise fund (was, increase in rate charged and base rates). Eliminates the proposed exception for local governments with a population of less than 2,000 from the two-hearing requirement. Eliminates the proposed requirement for the Local Government Commission, when exercising its enforcement authority under GS 159-181(c) or (d) (pertaining to certain instances when the Commission has the authority to impound the books and records of a local government or local government water/sewer system), to hold a public hearing with previously proposed requirements.

Makes organizational changes. Changes the act's titles.

Intro. by Winslow, Balkcom.

[GS 159](#)

[View summary](#)

[Government, Local Government](#)

H 287 (2023-2024) [EDUCATE PATIENTS ABOUT OPIOID ANTAGONISTS.](#) Filed Mar 7 2023, *AN ACT REQUIRING HEALTH CARE PRACTITIONERS AND PHARMACISTS TO EDUCATE PATIENTS WITH PRESCRIPTIONS FOR OPIOID PAIN MEDICATIONS AND MEDICATIONS TO TREAT OPIOID USE DISORDER ABOUT THE POTENTIAL DANGERS OF OPIOIDS, OVERDOSE PREVENTION, AND THE AVAILABILITY AND USE OF OPIOID ANTAGONISTS TO PREVENT OVERDOSE DEATHS.*

House committee substitute to the 2nd edition makes the following changes. Expands the exemption to new GS 90-12.8 (setting forth a requirement to provide opioid antagonist education) to include a veterinarian acting in the practice of veterinary medicine, at an animal health center, emergency facility, mobile facility, veterinary clinic, or veterinary hospital.

Intro. by Sasser, K. Baker, White, Potts.

[GS 90](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers, Public Health](#)

H 304 (2023-2024) [ELECTION DAY INTEGRITY ACT.](#) Filed Mar 7 2023, *AN ACT TO AMEND THE DATE BY WHICH MAIL-IN ABSENTEE BALLOTS MUST BE RECEIVED BY THE COUNTY BOARD OF ELECTIONS IN ORDER TO BE COUNTED, TO REQUIRE MAIL-IN ABSENTEE BALLOTS BE DELIVERED IN PERSON ONLY TO THE COUNTY BOARD OF ELECTIONS OFFICE, TO PROHIBIT THE USE OF BALLOT DROP BOXES FOR RETURNING VOTED MAIL-IN ABSENTEE BALLOTS, TO REQUIRE THE*

PUBLISHING OF THE DATE ABSENTEE BALLOTS ARE AVAILABLE AND THE DEADLINE FOR REQUESTING AN ABSENTEE BALLOT, AND TO PROVIDE FOR THE REPORTING OF BALLOTS BY THE COUNTY BOARDS OF ELECTIONS.

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

Adds clarifying and organizational changes to the proposed changes to GS 163-231(b)(1), requiring absentee ballots to be received by the county board of elections by 7:30 p.m. on the day of the statewide primary or general election or county bond election. Amends the proposed provisions for (b)(2), eliminating the provision that would allow for absentee ballots not received by that specified time to be accepted if, in lieu of being required by federal law, the State Board of Elections has extended the closing time of the polls for every poll in the county pursuant to state law, whereby the ballots must be received by the closing time as extended by the State Board in order to be counted. Amends (c) to define *delivered in person* to include delivering the ballot to the county board of elections office, and explicitly does not include depositing the ballot in a drop box or other location designated for the return of executed absentee ballots (replacing current law that includes delivering the ballot to an election official at one-stop voting sites while the site is open for voting). Makes conforming deletions. Requires ballots to be kept securely at county board of elections offices.

Modifies the proposed changes to the county boards' duty to prepare a certified list of absentee ballots received on or after election day pursuant to GS 163-232.1. Now requires the list to contain all absentee ballots returned to the county board to be counted, which have been approved by the county board and not included on the certified list of executed absentee ballots received before 7:30 p.m. (no longer also including an alternative time provided in GS 163-231(b)) on the day of the statewide primary or general election or county bond election. Makes identical changes to subsection (b) relating to the boards' duty to prepare a certified list of military-overseas ballots issued and returned. Makes conforming changes to the county chairman's certification of the lists.

Replaces the proposed changes to GS 163-234 regarding the counting of absentee ballots. Eliminates counting of absentee ballots returned to the county board by 5:00 p.m. on the day before election day. Now requires counting absentee ballots at 5:00 p.m. on election day. Limits ballots counted to those returned in a properly executed container-return envelope and received by the county board pursuant to GS 163-231(b), and excludes those received between 5:00 p.m. and 7:30 p.m. on election day, in addition to those excluded in existing law. Requires the county boards to meet after the election but prior to the date of canvass to determine if absentee ballots received between 5:00 p.m. and 7:30 p.m. on election day were properly executed, and requires counting these ballots on the day of canvass absent adoption of a resolution providing for earlier counting. Specifies that compliance with GS 163-230.1 (simultaneous issuance of absentee ballot with application) is required for absentee ballots (previously, more specifically limited to absentee ballots received pursuant to GS 163-231(b)(2)).

Replaces the proposed changes to GS 163-89 to now specify that an absentee ballot received by the county board by 5:00 p.m. on election day (was limited to those received under GS 163-231(b)(1) and not subject to the 5:00 p.m. cutoff) may be challenged on the day of any statewide primary or general election or county bond election beginning no earlier than noon and ending no later than 5:00 pm, or by the chief judge at the time of closing of the polls. Adds a new provision to set the time period for challenging an absentee ballot received by the county board between 5:00 p.m. and 7:30 p.m. on election day to no earlier than noon on the day following the election and no later than 5:00 p.m. on the day following the election. Makes conforming changes to statutory cross-references.

Modifies new GS 163-232.2, which establishes new reporting requirements. For mandatory reporting for each day of one-stop early voting, requires including the total number of absentee ballots sent to date and the total number of absentee ballots received to date with the county's number of outstanding absentee ballots reported. Revises the post-election reporting requirements to now require boards to report to the State Board of Elections on the day after election day (was, from the day after the day of the election through the day after the receipt deadline for absentee ballots, by 5:00 pm each day): (1) the number of absentee ballots that have been counted; (2) the number of outstanding absentee ballots, including the total number of absentee ballots sent to date and the total number of absentee ballots received to date; and (3) the number of voted provisional ballots.

Changes the act's long title.

Intro. by Davis, Warren, Cleveland, Humphrey.

GS 163

[View summary](#)

Government, Elections, State Agencies, State Board of

Elections

H 361 (2023-2024) [REQUIRE REPORT/PROTECTION & ADVOCACY AGENCY](#). Filed Mar 14 2023, *AN ACT TO REQUIRE THE PROTECTION AND ADVOCACY AGENCY FOR NORTH CAROLINA TO REPORT ITS ACTIONS REGARDING ITS IMPACT ON PERSONS WITH DISABILITIES*.

House committee substitute to the 1st edition makes the following changes. Changes the reporting requirements of the designated Protection and Advocacy Agency (Agency) from a quarterly report of the actions the Agency has taken in its efforts to advocate for persons with disabilities to the specified joint NCGA agencies to the following: (1) A report submitted twice a year of actions the Agency has taken in its efforts to advocate for persons with disabilities to the specified NCGA Committees; (2) a report submitted by December 1, 2023 to the specified NCGA Committees on the Agency's measured successes in advocating for persons with disabilities, which shall contain specific examples of how the Agency reduced barriers to employment, enabled independent living, and increased postsecondary educational opportunities for persons with disabilities; and (3) another report submitted by December 1, 2023, to the specified NCGA committee on the Agency's outcomes in advocating for students with disabilities in elementary and secondary education with the minimum requirements specified in the act.

Intro. by White, Lambeth, Bradford, Hawkins.

[UNCODIFIED](#)

[View summary](#)

[Health and Human Services, Health](#)

H 415 (2023-2024) [STOP ADDICTION FRAUD ETHICS ACT OF 2023](#). Filed Mar 20 2023, *AN ACT ESTABLISHING THE STOP ADDICTION FRAUD ETHICS (SAFE) ACT OF 2023*.

House committee substitute to the 1st edition makes the following changes. Amends new GS 90-113.151(a) (truth in marketing) to specify that the listing in marketing materials of the name and brand apply to residence, provider site, or facility (was, just treatment facility). Amends GS 90-113.151(b) to also require operators of a recovery residence or licensed residential treatment facility that also provides separately licensed outpatient substance abuse disorder services to clearly disclose the nature of those relationships, in addition to other labeling and disclosure obligations already listed. Makes organizational and technical changes.

Intro. by Reeder, Chesser, K. Baker.

[GS 90](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers, Public Health](#)

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 2nd edition makes the following changes.

Amends new 93A-85.2, which prohibits unfair real estate service agreements, to add an exemption for declarations created pursuant to GS Chapter 47A (Unit Ownership), Chapter 47C (North Carolina Condominium Act), or Chapter 47F (North Carolina Planned Community Act).

Amends new GS 93A-85.3, which prohibits the recording of an unfair real estate service agreement, to eliminate the provision which authorized the register of deeds to refuse to accept an unfair real estate service agreement, or notice or memorandum thereof, for recordation.

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

[GS 6, GS 93A](#)

H 445 (2023-2024) [CLOSED SESSION REMINDER](#). Filed Mar 22 2023, *AN ACT TO REQUIRE THE PRESIDING CHAIR OF ALL OPEN MEETINGS TO REMIND THE PUBLIC BODY OF THE LIMITED NATURE OF DISCUSSION DURING A CLOSED SESSION*.

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

Amends proposed new subsection (e) of GS 143-318.11 (Closed sessions) to require the chair, upon returning to open session, to state during open session whether the closed session complied with the statute's requirements regarding closed sessions (previously required certification that all discussion during the closed session was limited to permissible purposes cited in the motion duly made and adopted). Makes technical and conforming changes relating to requirements for the statement to be reduced to writing and signed by the presiding chair for inclusion in the open session minutes. Makes a corresponding change to GS 143-318.10(e) to include the statement of the presiding chair along with the minutes as public records under that statute.

Changes the act's long title.

Intro. by Winslow, Watford, Moss, Cairns.

[GS 143](#)

[View summary](#)

[Government, Public Records and Open Meetings](#)

H 557 (2023-2024) [NORTH CAROLINA HEALING ARTS COMMISSION](#). Filed Apr 3 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA HEALING ARTS COMMISSION AND TO CREATE LICENSURE PROCESSES FOR REFLEXOLOGISTS, NATUROPATHIC DOCTORS, AND MUSIC THERAPISTS*.

Enacts new Article 44, Healing Arts, in GS Chapter 90, providing as follows.

Part 1 of the new Article establishes the North Carolina Healing Arts Act and sets out the act's purpose. Defines healing arts as the use of allopathic, complementary, or alternative approaches to the art and science of medicine for the prevention, diagnosis, and treatment of human physical or mental conditions, diseases, ailments, illnesses, infirmities, pain, defects, or injuries and the promotion and restoration of health and wellness. Creates the seven-member North Carolina Health Arts Commission (Commission), with initial members to be appointed by the specified entities, for terms of one to three years, by January 1, 2024. Subsequent members serve for terms of three years. Sets out provisions for the inclusion of additional members for any healing arts professions created after January 1, 2024. Provides for the filling of vacancies and sets out membership requirements including citizenship requirements, residency requirements, and the requirement to hold a North Carolina Healing Arts License in the individual's respective healing arts profession. Sets out additional restrictions on the public members of the Commission. Allows for the removal of commission members. Requires Commission officers to be elected annually; sets out requirements for the meeting timing, for serving as chair, for adopting rules governing meetings, and for establishing a quorum.

Sets out the Commission's nine powers, including administering and enforcing the Article; issuing, when directed by an advisory committee to do so, a North Carolina Healing Arts License to practice the healing art governed by the advisory committee; taking specified disciplinary actions when directed to do so by an advisory committee; and conducting administrative hearings necessary to administer the Article, including disciplinary hearings. Sets out provisions governing fees payable to the Commission. Requires the Commission to establish fees of up to \$300 for the issuance of a North Carolina Healing Arts License, \$350 for the renewal of the license every five years, and \$200 for late renewal. Makes the first violation of the Article punishable by a written warning, a second violation punishable by a civil penalty of no more than \$200, and third and subsequent violations subject to a civil penalty of no more than \$200 per violation and a Class 1 misdemeanor. Allows the Commission to proceed in superior court to enjoin and restrain any person from violating the Article. Specifies that the healing arts professions subject to the Article are reflexologists, music therapists, and naturopathic physicians.

Part 2 of the new Article makes it State policy to consider reflexology as a healing arts profession. Defines reflexology as a protocol of manual techniques, including specified practices, that are applied to specific reflex areas predominantly on the feet and hands and that stimulate the complex neural pathways linking body systems and support the body's efforts to function

optimally; specifies that reflexology is not massage and bodywork therapy. Defines a North Carolina Licensed Reflexologist as an individual that (1) is certified by the certifying entity as a certified reflexologist and (2) and been issued a North Carolina Healing Arts License in reflexology by the Commission.

Establishes the three-member North Carolina Reflexology Advisory Committee (Reflexology Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, certification as a reflexologist, and being eligible to obtain a healing arts license in reflexology (with the requirement that appointees immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Reflexology Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in reflexology; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts License in reflexology; and directing the Commission to discipline North Carolina Licensed Reflexologists. Sets out requirements for applying for a North Carolina Healing Arts License in reflexology, which must be renewed after five years. Allows compensation for reflexology services to be received only when those services are performed by an individual holding a national certification (defined as a determination by the certifying entity that an individual has passed the certifying entity's national exam and that the individual has an active status with the certifying entity). Subjects non-licensed individuals providing reflexology services or engaging in the practice of reflexology to penalties or an injunction, unless: (1) the individual is a reflexology student working to obtain a certification of completion from a nationally recognized reflexology education program or (2) the individual holds a certification of completion from a nationally recognized reflexology education program, and that program was completed no more than six months before receiving compensation for services. Provides that unless all reflexology services are performed by individuals holding a national certification, a place of business where reflexology services are offered for compensation is subject to a civil penalty of no more than \$500 per violation and a suspension of any license to operate the business for no more than 90 days. Requires businesses to display a valid and up-to-date certificate for all individuals offering compensated reflexology services. Requires a reflexologist with a national certification to carry a certification when performing reflexology services for compensation at a location outside of the reflexologist's main place of business. Sets out information that must be included in advertisements. Provides for reciprocity for individuals licensed or certified to practice reflexology in another state or territory. Provides that this Part does not apply to pressure to the reflex areas on the hands, feet, and outer ears in the regular course of the individual's work, so long as the specified requirements are met.

Part 3 of the new Article makes it State policy to consider music therapy as a healing arts profession. Defines music therapy as the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program, including the specified assessments, development and implementation of treatment plans that use specified music interventions, and evaluation and documentation of the client's response to treatment. Defines music therapy services as the provision of services to accomplish music therapy goals, including (1) conducting an individualized assessment for the purpose of collecting systematic, comprehensive, and accurate data necessary to determine the course of action subsequent to the individualized treatment plan; (2) planning and developing the individualized music therapy treatment plan that identifies an individual's goals, objectives, and potential treatment intervention strategies; (3) implementing the individualized music therapy treatment plan consistent with the individual's overall treatment program; (4) systematically evaluating and comparing the individual's response to the individualized music therapy treatment plan and suggesting modifications, as appropriate; (5) developing a discharge plan in collaboration with the individual, the individual's family, treatment team, and other identified support networks, when appropriate; (6) minimizing the impact of environmental constraints as a barrier to participation in least-restrictive environments for individuals engaging in music therapy; (7) collaborating with and educating the individual, family, caregiver, and others to foster an environment responsive to the developmental needs of the individual as addressed in music therapy; or (8) consulting with groups, programs, organizations, or communities to improve accessibility to music therapy services.

Establishes the three-member North Carolina Music Therapy Advisory Committee (Music Therapy Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, certification as a music therapist, and being eligible to obtain a healing arts certification in music therapy (with the requirement that appointees

immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Music Therapy Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in music therapy; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts Licenses in music therapy; and directing the Commission to discipline North Carolina Licensed Music Therapists. Sets out requirements for applying for a North Carolina Healing Arts License in music therapy, which must be renewed after five years, including completing the specified academic requirements, completing the specified exam, and completing the specified number of clinical training hours. Allows compensation for music therapy services to be received only when those services are performed by an individual holding a national certification (defined as a determination by the certifying entity that an individual has satisfied the certifying entity's requirements and that the individual has an active status with the certifying entity). Subjects non-licensed individuals providing music therapy services or engaging in the practice of music therapy to penalties or an injunction. Provides for reciprocity for individuals licensed or certified to practice music therapy in another state or territory.

Part 4 of the new Article makes it State policy to consider naturopathic medicine as a healing arts profession. Defines naturopathic medicine as a system of natural health care that employs diagnosis and treatment using diagnostic techniques and natural therapies for the promotion, maintenance, and restoration of health and the prevention of disease, including all of the following: the administration or provision of any of the following for preventive and therapeutic purposes: natural medicines, natural therapies, natural topical medicines, hydrotherapy, dietary therapy, and naturopathic 13 physical medicine; the use of diagnostic procedures, including physical and orificial examination, but excluding endoscopy, sigmoidoscopy, and colonoscopy; and the ordering, performing, and interpretation of laboratory tests and diagnostic imaging. Sets out the scope of practice of naturopathic medicine as well as prohibitions on practice. Sets out and defines other terms

Establishes the three-member North Carolina Naturopathic Medicine Advisory Committee (Naturopathic Therapy Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, graduation from an approved program, and being eligible to obtain a healing arts license in naturopathic medicine (with the requirement that appointees immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Naturopathic Therapy Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in naturopathic medicine; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts Licenses in naturopathic medicine; and directing the Commission to discipline North Carolina Licensed Naturopathic Doctors. Sets out requirements for applying for a North Carolina Healing Arts License in naturopathic medicine, which must be every year, including completing the specified academic requirements, and completing the specified exam.

Establishes the six-member Naturopathic Doctors Formulary Council to develop and recommend to the Naturopathic Therapy Committee a formulary for naturopathic doctors to use in practice. Sets out membership requirements, with members serving three year terms, and the Council's duties. Sets out requirements for the formulary.

Prohibits practicing, attempting to practice, or claiming to practice, naturopathic medicine without a license. Sets out six exemptions, including practice by a naturopathic doctor duly licensed or registered in another state, territory, or the District of Columbia when called into this State to consult with a licensed or registered health care provider for a period not to exceed six months, and practice by students completing a clinical requirement for graduation from an approved program of naturopathic medicine, so long as the practice is performed under the supervision of a physician licensed under Article 1 of GS Chapter 90 or a licensed naturopathic doctor and the clinical requirement does not exceed one year.

Provides for reciprocity. Requires reporting misconduct or incapacity of a licensed naturopathic doctor and sets out disciplinary actions that may be taken. Provides criminal and civil immunity for the Naturopathic Therapy Committee, its officers, employees, and staff for exercising, in good faith, the powers and duties given to the Committee.

Amends GS 90-18, requiring a license to practice medicine or surgery, by excluding the practice of naturopathic medicine by a licensed naturopathic doctor.

Amends GS 90-624 (activities not requiring a license to practice) in Article 36 (massage and bodywork therapy practice) which states nothing in Article 36 may be used to prohibit or affect a list of specified activities, by adding new subdivision (9) listing a licensed reflexologist engaged in the practice of reflexology as defined in GS 90-730.11.

Enacts new GS 143B-975 allowing the Department of Public Safety to provide the Naturopathic Therapy Committee a criminal history record for licensure applicants. Requires the Naturopathic Therapy Committee to provide fingerprints and a consent form along with the requests for criminal history records. Allows charging a fee to offset the Department of Public Safety's costs for conducting the record check.

Effective January 1, 2024.

Intro. by Warren, Riddell.

GS 90, GS 143B

[View summary](#)

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

H 562 (2023-2024) **ADDRESSING THE WORKFORCE HOUSING CRISIS**. Filed Apr 4 2023, *AN ACT TO ESTABLISH WORKFORCE HOUSING DEVELOPMENTS TO ADDRESS CRITICAL HOUSING SHORTAGES FOR FIREFIGHTERS, LAW ENFORCEMENT OFFICERS, TEACHERS, NURSES, FIRST RESPONDERS, AND OTHER VITAL WORKERS AND FIRST-TIME HOMEBUYERS.*

Amends GS 160D-102 (the definitions provision pertaining to the local planning and development regulation) to enact definitions for workforce housing development and workforce housing improved lot. Enacts new GS 160D-802.1 allowing for a development that meets certain criteria for a workforce housing development to be permitted in any zoning district and in any territorial area of a local government and made subject only to the land development regulations set forth in this statute. Sets forth four criteria for workforce housing development: (1) the development is at least 10 acres; (2) no fewer than 20% of the lots in the development will be improved with dwelling units as defined by the North Carolina Residential Code for One- and Two-Family Dwellings and conveyed as workforce housing improved lots (Lots) (specifies restrictions for buildings constructed on the remaining lots in the development); (3) at least 50% of the Lots in the development will be conveyed to owner-occupants that qualify for lender financing based upon an income amount that does not exceed 80% of the most recently published area median income (AMI), as provided by the federal Department of Housing and Urban Development [the remaining Lots may be conveyed to owner-occupants that qualify for lender financing based upon an income amount that does not exceed 100% of the most recently published AMI (the area where the majority of the development is situated shall be used)]; (4) workforce housing improved lots will be conveyed to owner-occupants who move into the lot no more than 60 days after the conveyance and maintain the dwelling as the principal residence for at least a majority of a calendar year after moving into the dwelling. Specifies that the owner-occupant has to have either of the following: (i) a greater than 50% ownership interest in the lot, or (ii) beneficiary of a trust where the primary purpose of the trust is for estate planning and where the settlors of the trust have placed the lot into the trust. Requires that the lot will be used solely for single family residential purposes. Defines family to mean the person who owns the lot and (1) any persons living together with the owner that are related by blood, adoption, or marriage or (2) no more than three other persons who are not related to the owner. Clarifies that single family residential use does not include fractional ownership or timeshares.

Prevents local governments from imposing any type of vegetation requirements, including the removal, preservation, or use of trees and shrubs, in any area of the workforce housing development beyond the vegetative buffer described in this subsection. Permits the local government to require that workforce housing developments contain a vegetative buffer zone not exceeding 20 feet in width, including existing trees and shrubs, along the perimeter of the development and any adjoining properties. Allows a local government to require a workforce housing development to be identified on a preliminary site plan or plat and for permit applications to be administratively approved by the local government by its planning staff or planning board and allows them to impose a permit fee of up to \$100. Restricts local governments from requiring connections to a public utility unless certain exceptions are established. Prevents local governments from (1) implementing or enforcing an ordinance or regulation that is more restrictive than, or that exceeds requirements necessary to comply with, federal or State law; and (2) imposing impact fees or water or wastewater system development fees on workforce housing improved lots.

Permits local governments to restrict certificates of occupancy and certifications from the builder to ensure compliance with the act.

In addition to any other judicial remedy, allows for persons aggrieved by a failure of a local government to comply with the act to apply for an order in superior court compelling compliance with the local government, with priority given on the court calendar for the petition and any appeal. Allows for the imposition of attorneys' fees.

Clarifies that the act does not prevent a local government from enforcing (1) Article 11 or Article 12 of GS Chapter 160D; 2 (2) with the exception of GS 160D-921, any local development regulation described in Part 2 of Article 9 of GS 160D, so long as the local government does not exceed the requirements of State or federal law; (3) with the exception of dedications under GS 136-66.10 (pertaining to rights of way under local ordinances) or GS 136-66.11 (pertaining to transfer of severable development rights) any regulations providing for the dedication of rights-of-way or easements for street or utility purposes or road or utility construction performance standards; or (4) GS 160D-804.1 (pertaining to performance guarantees for subdivisions).

Specifies that the act should not be deemed to establish, alter, or expand a local government's authority to enact or enforce owner-occupancy development standards, rent control, or other standards related to affordable housing.

Amends GS 160D-702 to prevent a local government from implementing or enforce a zoning regulation for a development that qualifies as a workforce housing development, including without limitation, development standards regulating lot widths, setbacks, density, or building design elements, except as authorized by GS 160D-802.1.

Effective October 1, 2023.

Intro. by Bradford, Zenger, Clemmons.

GS 160D

[View summary](#)

Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Government, Local Government

H 564 (2023-2024) **SECOND AMENDMENT FINANCIAL PRIVACY ACT**. Filed Apr 4 2023, *AN ACT TO ENACT THE SECOND AMENDMENT FINANCIAL PRIVACY ACT*.

Amends GS Chapter 66 by adding new Article 51 (Second Amendment Financial Privacy Act), which prohibits financial institutions from (1) using a firearm code in connection with payment card transactions involving a firearms retailer in the State and (2) knowingly maintaining a record of persons in the state who own firearms in GS 66-503. Makes legislative findings related to the 2022 approval of a new merchant category code for firearms by the International Organization for Standardization that would permit tracking of the use of payment cards in purchase transactions at firearm retailers in GS 66-501. Defines *financial institution*, *firearms code*, and *firearms retailer* in GS 66-502.

Permits the Attorney General to assess civil penalties of not more than \$10,000 for each violation after notice and hearing under GS 66-504. Provides a civil cause of action for firearms retailers, persons using payment cards, and persons for whom a financial institution has a record of firearm ownership, permitting injunctions, statutory damages of \$10,000 for each violation, and costs and attorneys' fees in GS 66-505. Provides a three-year statute of limitations on civil actions.

Effective October 1, 2023.

Intro. by Pyrtle, Moore, Miller, Goodwin.

GS 66

[View summary](#)

Banking and Finance, Business and Commerce

H 566 (2023-2024) **GIVE STATE RETIREES 2% COLA/FUNDS**. Filed Apr 4 2023, *AN ACT PROVIDING A COST-OF-LIVING ADJUSTMENT FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED*

JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM AND APPROPRIATING FUNDS FOR THAT PURPOSE.

Amends GS 135-5 (concerning the Teachers' and State Employees' Retirement System), GS 135-65 (concerning the Consolidated Judicial Retirement System), and GS 120-4.22A (concerning the Legislative Retirement System), to provide, from and after July 1, 2023, a 2% increase in the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 2022, or a prorated amount for those whose retirement commenced after July 1, 2022, but before June 30, 2023, as determined by the respective Board of Trustees.

Appropriates \$100 million from the General Fund to the Reserve for Retiree Cost-of-Living Adjustments for each of the 2023-24 and 2024-25 fiscal years to implement the act.

Effective July 1, 2023.

Intro. by Gill, Wheatley, Penny.

[APPROP, GS 120, GS 135](#)

[View summary](#)

[Courts/Judiciary, Court System, Employment and Retirement, Government, Budget/Appropriations, State Government, State Personnel](#)

H 567 (2023-2024) [HEALTH CARE FREEDOM ACT](#). Filed Apr 4 2023, *AN ACT TO PROHIBIT A HEALTH CARE PROVIDER FROM REFUSING TO TREAT A PATIENT BASED ON VACCINATION STATUS.*

Creates new GS 90-21.13A, which prohibits a health care provider from refusing to provide health care or professional services to a patient who is seeking treatment for an emergency medical condition, as defined, due to the patient's vaccination status. For purposes of the section, vaccination status is an indication of whether the patient has received vaccination of any kind. Provides for a civil right of action against the health care provider, with punitive and actual damages, injunctive and other relief, and attorneys fees and costs. Makes a violation of the section a Class 2 misdemeanor, and requires referral to the appropriate licensing agency for disciplinary action. The new section is effective October 1, 2023.

Appropriates \$10,000 to the Department of Health and Human Services from the General Fund for fiscal year 2023-24 to perform outreach and education on the implementation of GS 90-21.13A. The appropriation is effective July 1, 2023.

Intro. by Willis, Bell, Wheatley, Biggs.

[APPROP, GS 90](#)

[View summary](#)

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

H 568 (2023-2024) [NCSSM PLATE](#). Filed Apr 4 2023, *AN ACT TO AUTHORIZE A SPECIAL LICENSE PLATE FOR THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.*

Identical to [S 391](#), filed 3/29/23.

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 Morey, Alston, Hawkins, Jeffers.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation](#)

H 570 (2023-2024) **EFFICIENT GOVERNMENT BUILDINGS & SAVINGS ACT**. Filed Apr 4 2023, *AN ACT TO SAVE NORTH CAROLINA TAXPAYER DOLLARS BY REQUIRING REDUCTIONS IN ENERGY AND WATER CONSUMPTION IN PUBLIC BUILDINGS BY 2030.*

Amends GS 143-64.12, requiring the energy consumption per gross square foot for all State buildings in total be reduced by 40% by 2030. Increases the frequency of reporting utility consumption and costs of each community college from biennially to annually. Removes the requirement for the Department of Administration to develop and conduct an energy audit and procedure for conducting energy audits every five years as part of the Facilities Condition and Assessment Program. Makes conforming changes to the management plans of State agencies and institutions. Makes conforming deletion of the Department of Administration's reporting requirement regarding energy audits.

Enacts GS 143-64.12A to require all state agencies and institutions of higher learning to ensure that lighting in unoccupied interior spaces and upward-directed flood lighting is turned off, where feasible, on the premises of all buildings owned or leased by the entities from midnight until 6:00 a.m., unless required for safety, emergency, or insurance purposes. Places compliance responsibility with the building manager or property manager of each premises.

Amends the definition of energy conservation measure as used in Part 2, Article 3B, GS Chapter 143 (Energy Saving Measures for Governmental Units) set out in GS 143-64.17. Now defines the term to mean a facility or meter alteration, training, or services related to the operation of the facility or meter, when the alteration, training, or services provide anticipated energy savings, generate revenue, or (previously did not include generating revenue). Now specifically includes proper building envelope and duct sealing of all applicable areas in the building in insulating the building structure and systems. Expands the term to include building analytics systems that allow for advanced software utilizing statistical modeling and machine learning, whether or not supervised, to establish data-driven benchmarks, predict future energy performance, and find additional energy saving opportunities. Amends the definition of energy savings as used in Part 2, to refer to "generated revenues" in addition to "captured lost revenues."

Amends GS 143-135.37 to now require every major facility construction project of a public agency to have the building designed and constructed so that the calculated energy consumption is at least 40% (was, 30%) less than the energy consumption for the same building as calculated using the specified energy-efficiency standard. Similarly increases the energy efficiency standard for major facility renovation projects of public agencies from at least 20% to at least 30% less than the energy consumption for the same renovated building as calculated using the specified energy efficiency standard. Increases the indoor potable water use standard for every major facility construction or renovation project of a public agency from at least 20% to at least 30% less than the same building as calculated using the specified fixture performance requirements. Requires, when practicable, that every major facility construction project or major facility renovation project of a public agency to maintain or restore the predevelopment hydrology to reduce stormwater runoff. Applies to every major facility construction projects and every major facility renovation project of a public agency that has not entered the schematic design phase prior to the date the act becomes law.

Requires every State agency and State institution of higher learning to conduct a preliminary practicality and feasibility analysis of implementing energy conservation measures for all building greater than 20,000 square feet in size that have been in use for more than 10 years. Defines economic feasibility to mean the resulting energy savings will cover the cost of implementing the measures within 10 years. Requires the preliminary analysis be completed and a report submitted to the State Energy Office no later than October 1, 2024. Details the required findings that must be included following certain determinations. Requires implementation, as specified, of the measures if they are found to be practical and economically feasible, including issuing a request for proposal (RFP) no later than April 1, 2025, if the agency or institution decides to issue an RFP for a guaranteed energy savings contract for one or more buildings to achieve energy conservation measures. Requires each State agency and State institution of higher learning to repeat the described analysis process for all buildings greater than 10,000 square feet in size and that have been in use for more than 10 years no later than October 1, 2029, with RFPs issued for a guaranteed energy savings contract no later than April 1, 2030. Excludes any building for which a practicality and economic feasibility analysis of implementing energy conservation measures has been conducted within 3 years prior to the effective date of the act. Specifies that the provisions do not prohibit any State agency or State institution of higher learning from issuing any RFPs for a guaranteed energy savings contract. Allows including additional improvements and upgrades to provide healthy indoor environments, increase resilience, conserve water, and apply to building sustainability rating or certification systems.

Defines State institution of higher learning by statutory cross-reference.

Limits the scope of the act to State buildings managed by the Department of Administration pursuant to Article 36 of GS Chapter 143 and State institutions of higher learning.

Intro. by Zenger, Winslow, Crutchfield, Saine.

GS 143

[View summary](#)

[Education](#), [Higher Education](#), [Environment](#), [Energy](#),
[Government](#), [State Agencies](#), [State Government](#), [State Property](#)

PUBLIC/SENATE BILLS

S 20 (2023-2024) [SAFE SURRENDER INFANTS/SAFE SLEEP PROG. FUNDS](#). Filed Jan 25 2023, *AN ACT TO REVISE THE LAWS PERTAINING TO THE SAFE SURRENDER OF INFANTS UNDER THE ABUSE, NEGLECT, AND DEPENDENCY LAWS AND TO MAKE CONFORMING STATUTORY CHANGES*.

House committee substitute to the 3rd edition makes the following changes. Adds new Section 14, which requires the Legislative Research Commission to study streamlining the laws surrounding adoption and foster care and report its findings and any legislative proposals to the 2024 Regular Session of the 2023 General Assembly upon its convening. Changes the effective date to specify that Section 14 is effective when the act becomes law.

Intro. by Burgin, Corbin, Ford.

GS 7B, GS 14, GS 115C

[View summary](#)

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

S 80 (2023-2024) [STATE AUDITOR DISCLOSURE AND DISCOVERY ACT](#). Filed Feb 7 2023, *AN ACT TO ENACT THE STATE AUDITOR DISCLOSURE AND DISCOVERY ACT*.

Senate committee substitute to the 1st edition makes the following changes. Deletes all of the proposed additional responsibilities added to GS 147-64.6(c) (governing the duties and responsibilities of the State Auditor) that would have required the State Auditor to conduct audits in line with generally accepted accounting standards as prescribed by national bodies and the reporting requirement of criminal misconduct. Now only amends GS 147-64.6(d) as follows. Requires the State Auditor to retain audit reports, in addition to the other documents listed in the statute that directly pertain to the work of the Auditor. Deletes proposed organizational changes to GS 147-64.6(d1) and (d2).

Deletes requirement that the Auditor provide its complete file and all supportive material related to an audit or investigation to any representatives of State or federal government who request those records in connection with a matter before them, including a criminal investigation. Changes that requirement to a requirement that the Auditor provide pertinent work papers and other supportive material to those representatives in connection with an official civil or criminal investigation or potential prosecution being conducted under the authority of their office.

Deletes provisions permitting auditor to seek protective order. Instead, specifies process Auditor must undertake if withholding from production any requested papers or supportive materials based on a claim that the production is barred by law. Allows the

requesting party to challenge the Auditor's claim by commencing a civil action in superior court. Specifies that the requesting party has the burden of proving that the withheld material is not prohibited by law. Deletes proposed changes to confidentiality provisions of GS 147-64.6(d) so that statutory language remains unchanged.

Intro. by Britt, Craven, Perry.

GS 147

[View summary](#)

Government, State Agencies, Office of State Auditor

S 303 (2023-2024) **STRENGTHEN JUVENILE LAWS**. Filed Mar 13 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE DEFINITION OF DELINQUENT JUVENILE, TO MODIFY THE TRANSFER PROCESS FOR JUVENILES CHARGED WITH CERTAIN FELONIES, AND TO MODIFY THE CONFIDENTIALITY OF CERTAIN INFORMATION CONCERNING JUVENILES UNDER INVESTIGATION.*

Senate committee substitute replaces the content of the 1st edition with the following.

Amends GS 7B-2200.5 to require transfer of jurisdiction over a juvenile to superior court for trial as an adult if the juvenile was at least 16 at the time the juvenile allegedly committed an offense that would be a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult, upon notice of the return of a true bill of indictment provided in GS 15A-630 (previously required either (1) notice to the juvenile and a finding by the court that a bill of indictment has been returned against the juvenile charging the commission of an offense that would constitute a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult or (2) notice, hearing, and a finding of probable cause that the juvenile committed an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult). Maintains prosecutor discretion to prosecute in superior court a matter that would otherwise be subject to mandatory transfer for offenses that would be a Class D, E, F, or G felony if committed by an adult. Repeals subsection (c), which required the probable cause hearing (to determine if the alleged offense would require transfer of jurisdiction) to be conducted within 90 days of the date of the juvenile's first appearance, with the court permitted to continue for good cause.

Amends GS 7B-2200 to require transfer of jurisdiction of a juvenile under 16, but at least 13, to superior court for trial as an adult if the alleged felony constitutes a Class A felony, upon notice of the return of a true bill of indictment provided in GS 15A-630 (previously required a finding of probable cause).

Makes conforming changes to GS 7B-2202 relating to required hearings to determine probable cause for all other felony cases in which the juvenile was at least 13 when the offense was allegedly committed.

Enacts GS 7B-3103 authorizing courts to order the Division of Juvenile Justice of the Department of Public Safety, or any law enforcement agency, to release to the public specified information about a juvenile upon making three written findings in the order: (1) that a petition has been filed alleging the juvenile has committed an offense that would subject the juvenile to transfer to superior court pursuant to GS 7B-2200 or GS 7B-2200.5, (2) there is a judicial determination that the juvenile presents a danger to self or others, and (3) there is a judicial determination that good cause exists. Enumerates information about the juvenile that may be disclosed, including a photograph, first and last name, the offense alleged, whether secure custody was issued, and a statement of the juvenile's threat to self or others. Prohibits disclosure if the juvenile is taken into custody. Requires removal of information from any publicly available law enforcement agency or Division website or controlled account when the juvenile subject to the order or emergency disclosure is taken into custody. Requires the disclosing entity to make a reasonable effort to notify a parent, legal guardian, or custodian of the juvenile before disclosure. Authorizes the Division to release the information when exigent circumstances exist; requires the releasing party to subsequently seek the required release order as soon as reasonably practicable and no later than the first available session of a court in the county after release. Requires removal of the information released from any agency or Division website or controlled account if the court does not issue the release order at that first session.

Amends GS 7B-2101 regarding juvenile interrogation procedures. Requires juveniles who are at least 16 and in custody to be advised, prior to questioning, that the juvenile has a right to have a caretaker present during questioning (in addition to current law that includes the right to have a parent, guardian, or custodian present for questioning, applicable to all juveniles). Defines *caretaker* as any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of the

juvenile in a residential setting; includes stepparent; foster parent; adult member of the household; adult entrusted with the juvenile's care; potential adoptive parent during a visit or trial placement with a juvenile in custody of the county department; house or cottage parent who has primary responsibility for supervising a juvenile's health and welfare in a residential child care facility or residential educational facility; or employee or volunteer of a division, institution, or school operated by the Department of Health and Human Services.

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

Changes the act's long title.

Intro. by Britt, Sanderson, McInnis.

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Government, State Agencies, Department of Public Safety](#)

S 308 [GUARDIANSHIP RIGHTS](#). Filed Mar 14 2023, *AN ACT TO UPDATE THE GUARDIANSHIP ACCOUNTING STATUTE TO ALLOW FOR CERTAIN TIMING ELECTIONS AND EXTENSIONS, TO AMEND THE GENERAL STATUTES TO PREVENT THE ABUSE OR MISUSE OF AUTHORITY GRANTED TO AN AGENT IN A POWER OF ATTORNEY, AND TO PROMOTE THE RIGHTS AND INDEPENDENCE OF PERSONS SUBJECT TO THE GUARDIANSHIP PROCESS AND TO IMPROVE JUDICIAL OVERSIGHT AND ACCOUNTABILITY FOR GUARDIANS OF THE PERSON, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.*

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

Part 1

Amends GS 35A-1264 (pertaining to annual accounts by guardians of property the guardian received) to specify that election of a fiscal year must be made by the guardian upon filing of the first annual account; or, if made in a subsequent year, with the permission of the clerk (was, just provided for election of a fiscal year). Changes the part's effective date to January 1, 2024 (was, effective when it became law).

Part 3

Makes clarifying change to GS 35A-1116 (pertaining to assessment of costs and fees) to clarify that a court can only tax costs incurred by any party against the respondent if the court finds that such costs were incurred for the respondent's benefit. (Prior version did not have language specifying that the court must make that finding.) Specifies that if the clerk finds that the petitioner did not have reasonable grounds to bring the proceeding, costs will be taxed to the petitioner.

Amends the notice of right to an attorney specified in GS 35A-1117 (required notice of rights to respondent) to also notify the respondent that if they do hire an attorney, the court may require the guardian ad litem to continue to be involved in their case. Makes technical and clarifying changes to the right-to-hearing language set forth in GS 35A-1117. Deletes requirement that the court provide a copy of the notice of rights to the respondent, respondent's next of kin, and upon request, any interested party.

Changes part's effective date to January 1, 2024, and now applies to petitions filed on or after that date (was, effective when it became law and applies to petitions filed 180 days thereafter).

Intro. by Galey, Daniel, Overcash.

[GS 32C, GS 35A](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law, Court System, Administrative Office of the Courts, Health and Human Services, Mental Health](#)

S 326 (2023-2024) [FIREFIGHTER CANCER INS. & WC PROGRAM FUNDING](#). Filed Mar 16 2023, *AN ACT TO MAKE PERMANENT THE FIREFIGHTERS' HEALTH BENEFITS PILOT PROGRAM AND TO RENAME IT THE FIREFIGHTERS' CANCER INSURANCE PROGRAM, TO MODIFY THE CURRENT PERCENTAGE DISTRIBUTION OF THE GROSS PREMIUMS TAX TO FUND THE PROGRAM, AND TO SET A MAXIMUM RESERVE FOR THE WORKERS' COMPENSATION FUND.*

Senate committee substitute to the 1st edition makes the following changes. Amends GS 105-228.5(d)(3) to delete language allocating up to 20% of the net proceeds credited to the Department of Insurance (Department) to be used to fund the provisions of the Firefighters' Cancer Insurance Program, with the balance of the 20% as determined in accordance with the provisions of GS 58-87-10(f) (calculations for the amount to meet the needs of the Workers' Compensation Fund [WRC]) credited to the WRC. Instead, now credits up to 20% to the WRC, but caps that fund reserve at \$45 million, and requires that the balance of the 20% be credited to the Department to be used to fund the Firefighters' Cancer Insurance Program.

Deletes proposed amendments to GS 58-87-10 in its entirety and instead enacts new Article 86A to GS Chapter 58, titled the "Firefighters' Cancer Insurance Program (Program)." Specifies that the Article's purpose is to provide health benefits as authorized by the Article to eligible firefighters with a new diagnosis of cancer on or after January 1, 2022, and that the health benefits provided under the Article be supplemental to any other health benefits authorized by law for firefighters. Defines terms *cancer*, *eligible firefighter*, *fire department*, and *firefighter*. Sets forth the following eligibility requirements for the Program: (1) service in a NC fire department for a minimum of 5 years and (2) a new diagnosis of cancer on or after January 1, 2022, except if they are receiving benefits related to cancer under the NC Worker's Compensation Act. Provides for the following benefits under the Program; (1) medical costs reimbursement of up to \$12,000 for any out-of-pocket medical expenses incurred, including deductibles, copayments, or coinsurance costs, for each diagnosis of cancer; (2) a lump sum benefit of \$25,000 for each diagnosis of cancer, capped at \$50,000, upon submission of proof of diagnosis to the insurance carrier, the Department, or other applicable payor; (3) payment of specified amounts of disability benefits upon submission of proof to the insurance carrier, the Department, or other applicable payor of total disability resulting from the diagnosis of cancer or that the cancer precludes the firefighter from serving as a firefighter.

Sets forth the following limitation on disability benefits: (1) disability benefits can continue for no more than 36 consecutive months; (2) any firefighter receiving disability benefits may be required to have his or her condition reevaluated to determine if that firefighter has regained the ability to perform the duties of a firefighter. If that reevaluation indicates that the firefighter has regained the ability to perform the duties of a firefighter, then the monthly disability benefits will cease on the last day of the month the reevaluation was conducted; (3) if there is no reevaluation performed, but the firefighter's treating physician determines that the firefighter is again able to perform the duties of a firefighter, then the disability benefits will cease on the last day of the month that the physician made the determination; (4) if a firefighter returns to work as a firefighter before exhaustion of the 36 months of disability benefit an eligible firefighter may receive, and if there is a subsequent recurrence of disability caused by cancer that again precludes the firefighter from performing the duties of a firefighter, then the firefighter will be entitled to any remaining monthly disability benefits, not to exceed 36 months in total; (5) the monthly disability benefit will be subordinate to any other benefit paid from any source to the firefighter solely for a disability related to the cancer diagnosis, so long as that source is not private insurance purchased solely by the firefighter. Disability benefits under this section will be limited to the difference between the benefit amount paid by the other source and the amounts specified under the Article. Sets forth reporting requirements by the Department to the General Assembly and the Governor due on January 1 of each year.

Makes the act effective July 1, 2023.

Makes conforming changes to act's long title.

Intro. by Johnson, Perry, Barnes.

GS 58, GS 105

[View summary](#)

Business and Commerce, Insurance, Employment and Retirement, Government, Public Safety and Emergency Management, Tax

S 331 (2023-2024) [CONSUMER FINANCE ACT AMENDMENTS](#). Filed Mar 20 2023, *AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT.*

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

Makes the following further changes to Article 15, the North Carolina Consumer Finance Act, in GS Chapter 53.

Amends GS 55-173(b) (pertaining to computation of interest) to specify that the interest on loans made under the section will not be compounded but computed and paid only as a percentage of the unpaid portion of the amount financed, in addition to other statutory directive on calculation of interest. (Was, calculated as a percentage of the amount financed in addition to other statutory directive.)

Amends GS 55-176 (pertaining to rates, maturities and amounts) (a) to change the interest rate on loans not exceeding \$12,000 from 36% to 33% on the part of the balance not exceeding \$4,000. Specifies that interest will be contracted for and collected at the applicable simple interest rate applied to unpaid portion of the amount financed. (Was, just the amount financed.) Amends GS 55-176(b) to cap the 1% fee of amount financed exclusive of the loan processing fee charged for loan amounts in excess of \$3,000 at \$150. (Was, just 1% fee of amount financed exclusive of the loan processing fee.)

Deletes proposed new GS 53-176.2 (pertaining to inflation adjustment for loan amounts and certain loan fees). Amends GS 53-177 (pertaining to fees) to reduce the cap on late fees from \$20 to \$18.

Intro. by Perry, Britt.

[GS 53, GS 53C](#)

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[Banking and Finance](#)

S 341 (2023-2024) [SAFETY AND EMISSION INSPECTION MODIFICATIONS](#). Filed Mar 21 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE SAFETY AND EMISSION INSPECTION LAWS*.

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

Adds a new subsection to Section 2 of the act, amending GS 143-215.107A to no longer require motor vehicle emissions inspections to be performed in Franklin or New Hanover counties, effective on the date the act becomes law. Makes conforming changes to the proposed repeals in GS 143-215.107A, effective on the later of July 1, 2024, or the first day of a month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that the EPA has approved an amendment to the State Implementation Plan submitted as required by Section 3 of the act. Makes conforming changes to the effective date provisions to reflect organizational changes in Section 2.

Intro. by Jarvis, Ford.

[Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lincoln, Mecklenburg, New Hanover, Randolph, Rowan, Union, Wake, GS 20, GS 143](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Environmental Quality \(formerly DENR\)](#)

S 492 (2023-2024) [MODIFY PROVISIONS AFFECTING ADULT CORRECTION.-AB](#) Filed Apr 3 2023, *AN ACT TO MODIFY LAWS CONCERNING ADULT CORRECTION, AS RECOMMENDED BY THE DEPARTMENT OF ADULT CORRECTION*.

Section 1

Amends GS 15A-1343(b), listing regular conditions of probation, to include submission to drug and alcohol screening rather than supplying a breath, urine, or blood specimen. Effective August 1, 2023, and applies to drug and alcohol screening

performed on or after that date.

Section 2

Further amends GS 15A-1343(b), making possession of no firearm ammunition a regular condition of probation.

Amends GS 15A-1368.4(e), listing controlling conditions of post-release supervision, and GS 15A-1374(b), listing appropriate conditions of parole, to include possession of no firearm, firearm ammunition, explosive device, or other deadly weapon listed in GS 14-269 unless granted permission by the Post-Release Supervision and Parole Commission (replacing the previous condition of refraining from possessing a firearm, destructive device, or other dangerous weapon unless granted written permission from the Commission or a post-release supervision officer or parole officer, as appropriate).

Section 3

Amends GS 15A-1343.2, which sets out probation rules for persons sentenced under Article 81B of GS Chapter 15A (Structured Sentencing for Persons Convicted of Crimes). Expands the scope of the statute to also include persons sentenced under Article 82 of GS Chapter 15A (Probation), and GS Chapters 20 (Motor Vehicles) and 90 (Medicine and Allied Occupations). Enacts subsection (e1) to authorize the Division of Community Supervision and Reentry of the Department of Adult Correction (Division; DAC) to require an offender placed on supervised probation for a conditional discharge or a deferred prosecution to comply with any of the conditions probation officers may require of offenders sentenced to community punishment in subsection (e), unless the presiding judge finds delegation not appropriate; excludes the authority to require the offender to submit to periods in a local confinement facility under subdivision (e)(5). Authorizes the Division to reduce or remove requirements it imposes. Allows probation officers to exercise authority delegated by the court after administrative review and approval by a chief probation officer. Provides for offenders to motion the court to review probation officers' actions; requires offenders to be given notice of this right. Requires the Division, prior to exercising delegated authority, to determine the offender has failed to comply with a condition of probation or is high risk based on a validated instrument to assess risks of reoffending. Provides that the subsection does not affect the arrest and hearing procedures authorized in GS 15A-1345 for probation violations. Makes changes to refer to the Deputy Secretary of the Division rather than the Director. Makes technical and clarifying changes. Makes conforming changes.

Amends GS 20-179, enacting new subsection (k5) as follows. Authorizes the Division to require an offender sentenced to Level One, Two, Three, Four, or Five punishment for impaired driving violations due to grossly aggravating factors pursuant to GS 20-179(f3), (g), (h), (i), (j), or (k), who is placed on probation, to do any of seven listed requirements and conditions, including (1) performing up to 20 hours of community service and paying the applicable fee; (2) submission to substance abuse assessment, monitoring, or treatment; (3) submission to house arrest with electronic monitoring; (4) submission to period of confinement in a local confinement facility for up to six days per month during a period of three months, as specified; and (5) submission to a curfew. Authorizes the Division to reduce or remove requirements it imposes. Allows probation officers to exercise authority delegated by the court after administrative review and approval by a chief probation officer. Provides for offenders to motion the court to review probation officers' actions; requires offenders to be given notice of this right; allows for written waiver of this right. Requires the Division, prior to exercising delegated authority, to determine the offender has failed to comply with a condition of probation or is high risk based on a validated instrument to assess risks of reoffending; limits the Division's authority to require period of confinement in a local confinement facility pursuant to subdivision (5) to instances when the Division determines the offender has violated a condition of probation. Provides that the subsection does not affect the arrest and hearing procedures authorized in GS 15A-1345 for probation violations.

Directs the Division to adopt guidelines and procedures to implement new subsection (k5). Establishes requirements for imposing confinement pursuant to subdivision (5), including providing the probationer with a violation report that provides notice of the probationer's right to a hearing with representation and specified evidentiary rights. Allows for confinement for the period of time designated in the report upon execution of a waiver of rights signed by the probationer and two officer witnesses, which must be the probation officer and another officer designated by the Division's Deputy Secretary in written Division policy.

Effective October 1, 2023.

Section 4

Enacts GS 15A-1352(g) to allow early transfers of persons serving a sentence in DAC who is subject to an outstanding sentence, detainer, or other lawful detention to the requesting confinement facility. Limits early transfers to up to five days

before the expiration of the person's current sentence, and deems the remainder of the person's sentence served at the requesting local confinement facility the expense of the receiving facility. Defines local confinement facility by statutory cross-reference. Adds that the new provision does not authorize holds beyond the release date of the current sentence absent an outstanding sentence to be served, detainer, or other lawful detention. Effective October 1, 2023, and applies to transfers occurring on or after that date.

Section 5

Enacts GS 143-18.2 to prohibit the personal property of an inmate in the custody of DAC from exceeding a total value of \$250. Requires DAC to reimburse an inmate for the value of an item or provide replacement for an item, when DAC's Administrative Remedy Procedure results in such a recommendation, when the inmate's property is lost, destroyed or damaged through the negligent maintenance of the correctional facility or the negligence of the correctional facility's employees. Establishes this remedy as the sole remedy for inmate property loss, damage, or destruction. Limits reimbursement from exceeding \$250 per incident. Prohibits reimbursement of an inmate for lost, damaged, or destroyed State-issued property.

Enacts GS 143-295.2 to establish that an inmate has no recourse against DAC through Article 31, Tort Claims Against State Departments and Agencies, for property lost, stolen, or otherwise damaged through the negligent handling of its correctional facility or staff members, but instead requires reimbursement or replacement of the item pursuant to new GS 148-18.2.

Enacts new subsection (e) to GS 143-291. Establishes that the Industrial Commission has no jurisdiction over any claim brought by an inmate in the custody of DAC unless the inmate has exhausted DAC's Administrative Remedy Procedure set out in GS 148-118.2. Makes conforming changes to GS 148-118.2. Eliminates the provision which allowed a court to waive the exhaustion requirement if it finds waiver to be in the interest of justice.

Amends GS 143-291.2 to specify that the Industrial Commission can tax costs against the losing party in the same amount and manner as costs are taxed in the Superior Court Division of the General Court of Justice (previously did not specify costs and manner of superior court). Adds an explicit prohibition against the Industrial Commission taxing the cost against the prevailing party. Additionally establishes a new disqualification for an inmate seeking indigent status. Prohibits granting indigent status to a currently incarcerated inmate who is the claimant under Article 31 if, while incarcerated or detained in any State facility, the inmate has on three or more prior occasions brought an action or appeal before the Industrial Commission that was dismissed on the grounds that it is frivolous, malicious, not within the statute of limitations, exceeds the exclusive jurisdiction of the Industrial Commission, or fails to state a claim upon which relief can be granted.

Amends GS 143-295 to authorize claims to be settled upon agreement between the various departments, institutions, and agencies of the State and the claimant without approval of the Industrial Commission for an amount not to exceed \$25,000 (previously, this authority was limited to settlement between the claimant and the Attorney General). Makes conforming and clarifying changes.

Amends GS 143-299.1A, regarding when the public duty doctrine can be used as an affirmative defense. Establishes that the provisions which specify when the doctrine cannot be used do not limit the application of the public duty doctrine in cases where the claimant is an inmate in DAC's custody unless the injury arises from the gross negligence of DAC or its staff.

Enacts GS 143-299.5 to establish limited liability for DAC for damages under Article 31 for acts or omissions of its employees tasked with the supervision, protection, control, confinement, or custody of the State's inmate population. Excepts gross negligence from the immunity provided.

Section 6

Amends GS 148-132 to allow the Division of Correction Enterprises of DAC to market and sell produced and services it produces to any currently incarcerated individual within a DAC facility.

Section 7

Enacts GS 143B-1445, requiring energy savings from DAC utilities remaining at the end of each fiscal year to be carried forward, with 60% used for energy conservation measures. Limits use of funds to one-time capital and operating expenditures that will not impose additional State obligations. Deems funds nonreverting. Provides for establishing a corresponding DAC budget code. Prohibits the Director of Budget from decreasing the recommended continuation budget requirements for utilities from the previous fiscal year for DAC by the amount of energy savings realized. Directs DAC to annually report on the use of funds pursuant to specified state law. Defines terms by statutory cross-reference.

Section 8

Amends GS 143-30 to require net proceeds derived from the sale or lease of land or facilities owned or maintained by DAC to be deposited in the capital improvement fund to the credit of DAC to make capital improvements on property owned or maintained by DAC, subject to approval by the Office of State Budget and Management.

Section 9

Amends GS 14-269 to allow DAC employees to publicly carry concealed weapons if the person (1) has been designated in writing by the DAC Secretary; (2) has a concealed handgun permit; and (3) has written proof of the Secretary's designation on their person. Bars carrying at any time while consuming alcohol or an unlawful controlled substance, or while alcohol or an unlawful controlled substance remains in the body. Makes technical and clarifying changes.

Section 10

Amends GS 150B-1(e), making the entire Department of Adult Correction exempt from the Administrative Procedure Act's contested case provisions, rather than only DAC's Division of Prisons which is currently exempt.

Section 11

Changes the sunset to the earlier of January 1, 2026 (was, January 1, 2024) or the completion of the Youth Development Center in Rockingham County, for the provisions of Section 4.15, SL 2020-3, as amended, which amends the definition of security guard to include services at state prisons.

Section 12

Aligns inmate pay of prisoners performing work for the Division of Prison's BRIDGE Program with that of inmates assigned to work that require special skills or training, set in GS 148-18 for employees of Correction Enterprises, at \$5 per day. Makes conforming changes.

Intro. by Britt, Daniel.

[GS 14](#), [GS 15A](#), [GS 20](#), [GS 143](#), [GS 143B](#), [GS 146](#), [GS 148](#), [GS 150B](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Motor Vehicle](#), [Criminal Justice](#), [Corrections \(Sentencing/Probation\)](#), [Criminal Law and Procedure](#), [Employment and Retirement](#), [Government](#), [APA/Rule Making](#), [Budget/Appropriations](#), [State Agencies](#), [Department of Adult Correction](#), [State Government](#), [State Personnel](#), [State Property](#)

S 512 (2023-2024) [GREATER ACCOUNTABILITY FOR BOARDS/COMMISSIONS](#). Filed Apr 3 2023, *AN ACT TO INCREASE THE ACCOUNTABILITY OF PUBLIC BOARDS AND COMMISSIONS TO THE CITIZENS OF NORTH CAROLINA BY CHANGING THE APPOINTMENT STRUCTURE OF THOSE BOARDS AND COMMISSIONS*.

Part I

Transfers the NC Utilities Commission (Commission) from the Department of Commerce to the Department of the State Treasurer (DST). Specifies that the Commission will be administratively located in DST but exercise its prescribed statutory powers independently.

Amends GS 62-10 (pertaining to the composition of the Commission) as follows. Changes the number of commissioners from seven to nine. Reduces the number of commissioners appointed by the governor from seven to four. The remaining commissioners will be appointed as follows: two by the General Assembly, upon recommendation of the Speaker of the House, two by the General Assembly, upon recommendation of the President Pro Tempore of the Senate and one by the State Treasurer. Changes the appointing authority if the Governor and State Treasurer fail to submit nominees for appointments or vacancies to the Commission from the Lieutenant Governor to the President Pro Tempore of the Senate. Changes term of

Commission chair from four years to three years. Provides that General Assembly must fill vacancies in line with GS 120-122 (governing vacancies for General Assembly appointments.) Makes conforming changes. Removes outdated language.

Specifies that two commissioners appointed by the General Assembly, upon recommendation of the Speaker of the House and President Pro Tempore of the Senate will serve an initial four-year term starting on July 1, 2023, so that the number of commissioners is increased to nine. After the four-year terms conclude, subsequent commissioners appointed to these seats will serve six-year terms. Designates appointment authorities for the commissioners whose terms are expiring. For the three commissioners whose terms are expiring June 30, 2023, one will be appointed by the Governor and the other two by the General Assembly, upon recommendation of the Speaker of the House and President Pro Tempore of the Senate each. For the three terms expiring June 30, 2025, two commissioners will be appointed by the Governor and one by the State Treasurer. And for the term expiring June 30, 2027, one commissioner will be appointed by the Governor.

Makes conforming changes to GS 143B-433 (organization of Department of Commerce) to remove the Commission.

Part II

Amends GS 143B-437.54 (establishing the Economic Investment Committee [Committee]) as follows. Increases the Committee membership to seven with the two additional members appointed by the General Assembly, upon recommendation of the Speaker of the House and President Pro Tempore of the Senate each. Deletes language barring members of the General Assembly from being members of the Committee. Specifies that members not appointed by the General Assembly will serve until they are no longer in office or are replaced with another designee.

Repeals GS 120-123(76) listing the Committee as one of the government boards or committee where members of the General Assembly may not serve. Makes other conforming changes.

Part III

Amends GS 143B-283, pertaining to the composition of the Environmental Management Commission (EMC), as follows. Changes the appointing entity from the Governor to the Commissioner of Agriculture (Commissioner) for two commissioners. Makes conforming changes to account for new appointing authorities. Makes technical changes.

Amends GS 143B-284 (EMC officers) to have the chair elected by the members of the EMC, rather than designated by the Governor. Makes technical changes and language gender neutral.

Part IV

Amends GS 130A-30, pertaining to the composition of the Commission for Public Health (CPH) as follows. Changes the appointing authority for CPH members, by reducing the number of members appointed by the Governor from nine to five. Specifies that the General Assembly will appoint the remaining four members as follows: two upon recommendation of the Speaker of the House and two upon recommendation of the President Pro Tempore of the Senate. Removes the requirement that one of the Governor's appointments be a registered engineer experienced in sanity engineering or a soil scientist.

Removes outdated language. Makes technical and conforming changes.

Specifies that the General Assembly will appoint the successors of four members for those members previously appointed by the Governor whose terms are expiring on April 30, 2023.

Part V

Amends GS 143-350, pertaining to the Board of Transportation (Board), as follows. Deletes provisions pertaining to the membership of the Board (currently, 14 members are from one of the highway divisions with six at-large members, with the 14 division members appointed by the Governor and the at-large members appointed by the General Assembly). Deletes provisions for staggered terms. Replaces the membership as follows. Specifies that the Board will consist of 20 voting members, 14 of whom will be appointed by the General Assembly, seven upon recommendation of the Speaker of the House and seven upon recommendation of the President Pro Tempore of the Senate. The Governor will now appoint six at-large voting members. Specifies that each highway division must have at least one voting member that is a resident of that highway division, however, no more than three voting members may reside in the same highway division. Designates the Secretary of Transportation as an ex officio nonvoting member of the Board. Provides that all terms will be for four years and will expire on June 30 of the year of expiration. Provides that the chair will be elected by members of the Board, rather than the Governor. Sets schedule of appointing authorities for when terms expire as follows: (1) the General Assembly will appoint Highway

Division 1, 3, 6, 9, 12, and 14 board members from the six division appointments expiring in 2024. Three of these appointments will be made by the Senate and three by the House; (2) the General Assembly will appoint Highway Division 2, 4, 5, 7, and 8 board members from the five at-large appointments expiring in 2024. Three of these appointments will be made by the Senate and two by the House; (3) the Governor will appoint six at-large board members from the eight division appointments expiring in 2026; (4) the General Assembly will appoint Highway Division 10, 11, and 13 board members from the remaining two division appointments expiring in 2026 and the one at-large appointment expiring in 2026. One of these appointments will be made by the Senate and two by the House.

Part VI

Amends GS 113A-104 to change the membership of the Coastal Resources Commission (GRC) as follows. Retains the same number of members but removes the three members who must have experience in land development, coast related business, and coastal agriculture, respectively and who are appointed by the Governor. Replaces those members with three members as follows: one member to be appointed by the Commissioner of Insurance with experience in land development and the other two at-large members to be appointed by the General Assembly, upon recommendation of the Speaker of the House and President Pro Tempore of the Senate each. Provides that the chair will be elected by members of the GRC, rather than the Governor. Makes conforming changes.

Specifies that the seat eliminated by the repeal of the seats specified above will be the member who was at the time of appointment a coastal property owner or experienced in land development and whose term expires on June 30, 2023.

Part VII

Amends GS 143-241, pertaining to the appointment and terms of office of members of the Wildlife Resources Commission (WRC) as follows. Increases the amount of appointees by the General Assembly to the WRC from eight to ten members, five upon recommendation of the Speaker of the House and five upon recommendation of the President Pro Tempore of the Senate.

Reduces the amount of at-large members appointed by the Governor from two to one. Designates the Commissioner of Agriculture as appointment authority for that additional at-large seat. Makes conforming changes. Effective June 30, 2025.

Part VIII

Amends GS 124-15, pertaining to the membership of the NC Railroad Board of Directors (NCRBD) to reduce the number of members appointed by the Governor from seven to six, with the seventh member now appointed by the State Treasurer. Removes outdated language. Provides that the State Treasurer's appointee will be one of the appointees with a term expiring in 2023. Permits the Board to determine which of those appointees will be replaced by the appointee of the State Treasurer. Effective on the date that revisions to the Articles of Incorporation of a State-owned railroad to implement the changes in appointing authority made by this section are enacted by the Board of Directors of the State-owned railroad and become effective. The railroad must report to the Revisor of Statutes the effective date of those changes.

Part IX

Amends GS 116-37, pertaining to the Board of Directors of the UNC Health System (UNC Health Board), to change the composition of the members of the UNC Health Board as follows following:

- Four ex officio members who are:
 1. The President of The University of North Carolina or the President's designee.
 2. The Chief Executive Officer of the University of North Carolina Health Care System.
 3. The Chancellor of the University of North Carolina at Chapel Hill.
 4. The President of the University of North Carolina Hospitals.

(Currently eight ex-officio members from UNC which include those listed above, two of whom are faculty members and one of whom is an additional administrator designated by the chancellor, and the President of the UNC faculty physicians.)

- Eight members at large appointed by the General Assembly as follows:
 1. One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives annually.

2. One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate annually.

- Twelve of the members at large must be appointed by the Board of Governors after consultation with the President of The University of North Carolina. The Board of Governors will appoint three members annually.

(Currently sixteen at-large members, all serving four-year terms. Four of the members are appointed by the board of directors.)

Removes outdated language. Makes conforming changes.

Specifies that terms of office for all ex officio members of the board of directors of the UNC Health Board repealed by this section will expire July 1, 2023. All at-large members of the board of directors of the UNC Health Board serving as of July 1, 2023, will remain in office until their current term of appointment expires. Any vacancy occurring in a seat appointed by the board of directors expiring October 31, 2024, will be filled by the General Assembly upon recommendation of the Speaker of the House of Representatives for the remainder of that term of office.

Sets the following schedule for appointments made in 2023, notwithstanding the provisions set forth above relating to one-year terms:

- For a term beginning July 1, 2023, and ending October 31, 2027, one member will be appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives and one member will be appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate. Members appointed to fill those terms of office in 2027 will be appointed to four-year terms of office. These members will fill seats vacated by the prior ex officio members of the UNC Health Board.
- For a term beginning July 1, 2023, and ending October 31, 2026, one member will be appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives and one member will be appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate. Members appointed to fill those terms of office in 2026 will be appointed to four-year terms of office. These members will fill seats vacated by the prior ex officio members of the UNC Health Board.
- For a term beginning October 1, 2023, and ending October 31, 2025, one member will be appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate. The member appointed to fill that term of office in 2025 will be appointed to a four-year term of office. This member will fill a position expiring in 2023 held by a board of trustee appointment.
- For a term beginning October 1, 2023, and ending October 31, 2024, one member will be appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate. This member will fill a position expiring in 2023 held by a board of trustee appointment.
- For a term beginning October 1, 2023, and ending October 31, 2025, one member will be appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives. The member appointed to fill that term of office in 2025 will be appointed to a four-year term of office. This member will fill a position expiring in 2023 held by a board of trustee appointment.

Sets the following schedule for appointments made in 2024:

- Upon recommendation of the Speaker of the House of Representatives, appoint one member to the UNC Health Board for the expiring position held by the board of trustee appointment expiring in 2024. The member appointed to fill that term of office in 2024 will be appointed to a four-year term of office.
- Upon recommendation of the President Pro Tempore of the Senate, appoint one member to the UNC Health Board for the expiring one-year term appointed by the General Assembly upon the recommendation of the President Pro Tempore in 2023. The member appointed to fill that term of office will be appointed to a four-year term of office.

Notwithstanding the requirement for the Board of Governors to appoint three members annually, and length of terms, sets the following schedule for appointments made by the Board of Governors in 2023, 2024, 2025, and 2026:

- No appointments will be made in 2023.
- In 2024, the Board of Governors will appoint three members to terms ending October 31, 2028, and one member to a term ending October 31, 2027. Members appointed to fill those terms of office when expired will be appointed to four-year terms of office.

- In 2025, the Board of Governors will appoint one member to a term of office ending October 31, 2029. The member appointed to fill that term of office when expired will be appointed to a four-year term of office.
- In 2026, the Board of Governors will appoint three members to terms ending October 31, 2030, two members to terms of office ending October 31, 2029, and two members to terms of office ending October 31, 2027. Members appointed to fill those terms of office when expired will be appointed to four-year terms of office.

Part X

Contains severability clause.

Effective July 1, 2023 except as otherwise provided.

Intro. by Daniel, Rabon, Berger.

[GS 62, GS 113A, GS 116, GS 124, GS 130A, GS 143, GS 143B](#)

[View summary](#)

Business and Commerce, Occupational Licensing, Environment, Government, State Agencies, UNC System, Department of Commerce, Department of State Treasurer, Health and Human Services, Health, Public Health, Public Enterprises and Utilities, Transportation

S 513 (2023-2024) [NORTH CAROLINA HEALING ARTS COMMISSION](#). Filed Apr 3 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA HEALING ARTS COMMISSION AND TO CREATE LICENSURE PROCESSES FOR REFLEXOLOGISTS, NATUROPATHIC DOCTORS, AND MUSIC THERAPISTS.*

Identical to [H 557](#), filed 4/3/23.

Enacts new Article 44, Healing Arts, in GS Chapter 90, providing as follows.

Part 1 of the new Article establishes the North Carolina Healing Arts Act and sets out the act's purpose. Defines healing arts as the use of allopathic, complementary, or alternative approaches to the art and science of medicine for the prevention, diagnosis, and treatment of human physical or mental conditions, diseases, ailments, illnesses, infirmities, pain, defects, or injuries and the promotion and restoration of health and wellness. Creates the seven-member North Carolina Health Arts Commission (Commission), with initial members to be appointed by the specified entities, for terms of one to three years, by January 1, 2024. Subsequent members serve for terms of three years. Sets out provisions for the inclusion of additional members for any healing arts professions created after January 1, 2024. Provides for the filling of vacancies and sets out membership requirements including citizenship requirements, residency requirements, and the requirement to hold a North Carolina Healing Arts License in the individual's respective healing arts profession. Sets out additional restrictions on the public members of the Commission. Allows for the removal of commission members. Requires Commission officers to be elected annually; sets out requirements for the meeting timing, for serving as chair, for adopting rules governing meetings, and for establishing a quorum.

Sets out the Commission's nine powers, including administering and enforcing the Article; issuing, when directed by an advisory committee to do so, a North Carolina Healing Arts License to practice the healing art governed by the advisory committee; taking specified disciplinary actions when directed to do so by an advisory committee; and conducting administrative hearings necessary to administer the Article, including disciplinary hearings. Sets out provisions governing fees payable to the Commission. Requires the Commission to establish fees of up to \$300 for the issuance of a North Carolina Healing Arts License, \$350 for the renewal of the license every five years, and \$200 for late renewal. Makes the first violation of the Article punishable by a written warning, a second violation punishable by a civil penalty of no more than \$200, and third and subsequent violations subject to a civil penalty of no more than \$200 per violation and a Class 1 misdemeanor. Allows the Commission to proceed in superior court to enjoin and restrain any person from violating the Article. Specifies that the healing arts professions subject to the Article are reflexologists, music therapists, and naturopathic physicians.

Part 2 of the new Article makes it State policy to consider reflexology as a healing arts profession. Defines reflexology as a protocol of manual techniques, including specified practices, that are applied to specific reflex areas predominantly on the feet and hands and that stimulate the complex neural pathways linking body systems and support the body's efforts to function

optimally; specifies that reflexology is not massage and bodywork therapy. Defines a North Carolina Licensed Reflexologist as an individual that (1) is certified by the certifying entity as a certified reflexologist and (2) and been issued a North Carolina Healing Arts License in reflexology by the Commission.

Establishes the three-member North Carolina Reflexology Advisory Committee (Reflexology Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, certification as a reflexologist, and being eligible to obtain a healing arts license in reflexology (with the requirement that appointees immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Reflexology Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in reflexology; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts License in reflexology; and directing the Commission to discipline North Carolina Licensed Reflexologists. Sets out requirements for applying for a North Carolina Healing Arts License in reflexology, which must be renewed after five years. Allows compensation for reflexology services to be received only when those services are performed by an individual holding a national certification (defined as a determination by the certifying entity that an individual has passed the certifying entity's national exam and that the individual has an active status with the certifying entity). Subjects non-licensed individuals providing reflexology services or engaging in the practice of reflexology to penalties or an injunction, unless: (1) the individual is a reflexology student working to obtain a certification of completion from a nationally recognized reflexology education program or (2) the individual holds a certification of completion from a nationally recognized reflexology education program, and that program was completed no more than six months before receiving compensation for services. Provides that unless all reflexology services are performed by individuals holding a national certification, a place of business where reflexology services are offered for compensation is subject to a civil penalty of no more than \$500 per violation and a suspension of any license to operate the business for no more than 90 days. Requires businesses to display a valid and up-to-date certificate for all individuals offering compensated reflexology services. Requires a reflexologist with a national certification to carry a certification when performing reflexology services for compensation at a location outside of the reflexologist's main place of business. Sets out information that must be included in advertisements. Provides for reciprocity for individuals licensed or certified to practice reflexology in another state or territory. Provides that this Part does not apply to pressure to the reflex areas on the hands, feet, and outer ears in the regular course of the individual's work, so long as the specified requirements are met.

Part 3 of the new Article makes it State policy to consider music therapy as a healing arts profession. Defines music therapy as the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program, including the specified assessments, development and implementation of treatment plans that use specified music interventions, and evaluation and documentation of the client's response to treatment. Defines music therapy services as the provision of services to accomplish music therapy goals, including (1) conducting an individualized assessment for the purpose of collecting systematic, comprehensive, and accurate data necessary to determine the course of action subsequent to the individualized treatment plan; (2) planning and developing the individualized music therapy treatment plan that identifies an individual's goals, objectives, and potential treatment intervention strategies; (3) implementing the individualized music therapy treatment plan consistent with the individual's overall treatment program; (4) systematically evaluating and comparing the individual's response to the individualized music therapy treatment plan and suggesting modifications, as appropriate; (5) developing a discharge plan in collaboration with the individual, the individual's family, treatment team, and other identified support networks, when appropriate; (6) minimizing the impact of environmental constraints as a barrier to participation in least-restrictive environments for individuals engaging in music therapy; (7) collaborating with and educating the individual, family, caregiver, and others to foster an environment responsive to the developmental needs of the individual as addressed in music therapy; or (8) consulting with groups, programs, organizations, or communities to improve accessibility to music therapy services.

Establishes the three-member North Carolina Music Therapy Advisory Committee (Music Therapy Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, certification as a music therapist, and being eligible to obtain a healing arts certification in music therapy (with the requirement that appointees

immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Music Therapy Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in music therapy; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts Licenses in music therapy; and directing the Commission to discipline North Carolina Licensed Music Therapists. Sets out requirements for applying for a North Carolina Healing Arts License in music therapy, which must be renewed after five years, including completing the specified academic requirements, completing the specified exam, and completing the specified number of clinical training hours. Allows compensation for music therapy services to be received only when those services are performed by an individual holding a national certification (defined as a determination by the certifying entity that an individual has satisfied the certifying entity's requirements and that the individual has an active status with the certifying entity). Subjects non-licensed individuals providing music therapy services or engaging in the practice of music therapy to penalties or an injunction. Provides for reciprocity for individuals licensed or certified to practice music therapy in another state or territory.

Part 4 of the new Article makes it State policy to consider naturopathic medicine as a healing arts profession. Defines naturopathic medicine as a system of natural health care that employs diagnosis and treatment using diagnostic techniques and natural therapies for the promotion, maintenance, and restoration of health and the prevention of disease, including all of the following: the administration or provision of any of the following for preventive and therapeutic purposes: natural medicines, natural therapies, natural topical medicines, hydrotherapy, dietary therapy, and naturopathic 13 physical medicine; the use of diagnostic procedures, including physical and orificial examination, but excluding endoscopy, sigmoidoscopy, and colonoscopy; and the ordering, performing, and interpretation of laboratory tests and diagnostic imaging. Sets out the scope of practice of naturopathic medicine as well as prohibitions on practice. Sets out and defines other terms

Establishes the three-member North Carolina Naturopathic Medicine Advisory Committee (Naturopathic Therapy Committee). Sets out membership requirements and provides for the appointment of initial members by January 1, 2024, with initial members serving 1-2 years. Subsequent membership terms are for three years, with no member serving for more than two consecutive terms. Sets out membership qualifications including citizenship requirements, residency requirements, graduation from an approved program, and being eligible to obtain a healing arts license in naturopathic medicine (with the requirement that appointees immediately seek to obtain the license). Sets out additional restrictions on the public members. Provides for the election of a chair and other officers, holding meetings, and establishing a quorum.

Sets out the Naturopathic Therapy Committee's eight powers and duties, including establishing and determining qualification and fitness of applicants for a North Carolina Healing Arts License in naturopathic medicine; directing the Commission to issue, renew, deny, suspend, revoke, or refuse to issue or renew North Carolina Healing Arts Licenses in naturopathic medicine; and directing the Commission to discipline North Carolina Licensed Naturopathic Doctors. Sets out requirements for applying for a North Carolina Healing Arts License in naturopathic medicine, which must be every year, including completing the specified academic requirements, and completing the specified exam.

Establishes the six-member Naturopathic Doctors Formulary Council to develop and recommend to the Naturopathic Therapy Committee a formulary for naturopathic doctors to use in practice. Sets out membership requirements, with members serving three year terms, and the Council's duties. Sets out requirements for the formulary.

Prohibits practicing, attempting to practice, or claiming to practice, naturopathic medicine without a license. Sets out six exemptions, including practice by a naturopathic doctor duly licensed or registered in another state, territory, or the District of Columbia when called into this State to consult with a licensed or registered health care provider for a period not to exceed six months, and practice by students completing a clinical requirement for graduation from an approved program of naturopathic medicine, so long as the practice is performed under the supervision of a physician licensed under Article 1 of GS Chapter 90 or a licensed naturopathic doctor and the clinical requirement does not exceed one year.

Provides for reciprocity. Requires reporting misconduct or incapacity of a licensed naturopathic doctor and sets out disciplinary actions that may be taken. Provides criminal and civil immunity for the Naturopathic Therapy Committee, its officers, employees, and staff for exercising, in good faith, the powers and duties given to the Committee.

Amends GS 90-18, requiring a license to practice medicine or surgery, by excluding the practice of naturopathic medicine by a licensed naturopathic doctor.

Amends GS 90-624 (activities not requiring a license to practice) in Article 36 (massage and bodywork therapy practice) which states nothing in Article 36 may be used to prohibit or affect a list of specified activities, by adding new subdivision (9) listing a licensed reflexologist engaged in the practice of reflexology as defined in GS 90-730.11.

Enacts new GS 143B-975 allowing the Department of Public Safety to provide the Naturopathic Therapy Committee a criminal history record for licensure applicants. Requires the Naturopathic Therapy Committee to provide fingerprints and a consent form along with the requests for criminal history records. Allows charging a fee to offset the Department of Public Safety's costs for conducting the record check.

Effective January 1, 2024.

Intro. by Krawiec, P. Newton.

GS 90, GS 143B

[View summary](#)

**Business and Commerce, Occupational Licensing,
Government, State Agencies, Department of Health and
Human Services, Health and Human Services, Health, Health
Care Facilities and Providers**

S 529 (2023-2024) **VARIOUS CHANGES TO NONPROFIT CORPORATIONS ACT**. Filed Apr 3 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA NONPROFIT CORPORATIONS ACT*.

Part I.

Amends GS 55A-11-02 to allow a charitable or religious corporation to merge, without prior approval of the superior court, with a limited liability company if (1) its sole member is a domestic or foreign corporation exempt from income tax; and (2) it is disregarded for income tax purposes but would be eligible for an exemption under the specified provision of the Internal Revenue Code if it were not disregarded.

Amends GS 55A-11-09, concerning merger with unincorporated entities, as follows. Expands upon the definition of a business entity to also include a nonprofit association, whether or not it was formed under this State's laws. Provides that if the surviving business entity is not a domestic limited liability company, a domestic business corporation, a domestic nonprofit corporation, or a domestic limited partnership, when the merger takes effect, the surviving business entity is deemed to have agreed that it may be served with process in this State in any proceeding for enforcement of any obligation of any merging nonprofit association that is formed under the laws of this State. Makes additional technical and clarifying changes.

Applies to plans of mergers adopted on or after October 1, 2023.

Part II.

Enacts new GS 55A-16-22.1 requiring domestic and foreign corporations authorized to conduct affairs in the State to submit annual reports electronically to the Secretary of State that include six specified items, including its principal office address and telephone number, brief description of the nature of its activities, and specified types of contact information. Requires corporations to also submit annual reports with due date varying based on the type of corporation. Sets out the process for filing late reports and for amending previously filed reports. Sets out actions a corporation may take under which it is deemed to have filed the required annual report.

Amends GS 55A-1-22, as amended, by providing that there is no fee for filing the annual report.

Amends GS 55A-14-20 to allow the Secretary of State to commence a proceeding to dissolve administratively a corporation for being delinquent in submitting its annual report. Makes additional technical changes.

Amends GS 55A-14-22 by amending the actions that must be taken before the Secretary of State will cancel a certificate of dissolution and prepare a certificate of reinstatement, to also require the payment of any penalties and payments due. Makes additional clarifying changes.

Allows the Secretary of State, to waive the fee to be paid by a corporation seeking reinstatement following administrative dissolution for delinquent filing of the annual report, until January 1, 2026.

Applies to annual reports due on or after January 1, 2025.

Part III.

Adds new Article 11B, Domestication, to GS Chapter 55A, providing as follows.

Allows a foreign nonprofit corporation to become a domestic nonprofit corporation by complying with the Article, so long as domestication is allowed by the laws in the foreign corporation's jurisdiction. Also allows a domestic nonprofit corporation to become a foreign nonprofit corporation by complying with the Article, under a plan of domestication, so long as the domestication is allowed by the laws of the jurisdiction of the foreign corporation. Provides that a charitable or religious corporation may only become a foreign nonprofit corporation in accordance with the statutory requirements for mergers involving charitable or religious corporations, and requires the domesticated corporation to meet the same requirements as the survivor in a merger. Provides that any devise, gift, grant, or promise contained in a will or other instrument made to a domesticating corporation that takes effect or remains payable after the domestication becomes effective, inures to the domesticated corporation unless the will or other instrument provides otherwise.

Allows a domestic nonprofit corporation to become a foreign nonprofit corporation by approving a plan of domestication; sets out items that must be included in the plan. Allows the plan's terms concerning the manner and basis of converting the memberships of the domesticating corporation into memberships, obligations, rights to acquire memberships, cash, or other property, to be made dependent upon facts objectionably ascertainable outside the plan.

Sets out the process under which the plan of domestication is to be adopted when the domestic nonprofit corporation is to be the domesticating corporation. Allows a plan of domestication of a domestic nonprofit corporation to be amended before articles of domestication have taken effect. Sets out the procedures that can be used by a domestic nonprofit corporation in approving an amendment of a plan of domestication. Allows a plan of domestication to be abandoned, as provided for in the plan, after it is approved but before articles of domestication have become effective. Sets out the process for abandonment and requires specified information to be included in the articles of abandonment.

Sets out what must be included in the articles of domestication, and requires the articles to be signed by the domesticating corporation and filed with the Secretary of State. Sets out provisions governing when the domestication becomes effective. Sets out six provisions that apply once the domestication becomes effective, including that all debts, obligations, and other liabilities of the domesticating corporation remain the responsibility of the domesticated corporation, allows the name of the domesticated corporation to be substituted for the name of the domesticating corporation in any pending proceeding, and the articles of incorporation and bylaws of the domesticated corporation become effective. Sets out provisions governing the interest holder liability of a member in a foreign corporation that is domesticated into this State who had interest holder liability in respect of the domesticating corporation before the domestication becomes effective. Provides that a member who becomes subject to interest holder liability in respect of the domesticated corporation as a result of the domestication has interest holder liability only in respect of interest holder liabilities that arise after the domestication becomes effective. Specifies that a domestication does not constitute or cause the dissolution of the domesticating corporation.

Amends GS 55A-1-22, by setting a \$25 fee for filing articles of domestication and a \$10 fee for filing articles of abandonment of domestication.

Amends GS 55A-1-60 to allow a judicial order requiring a meeting of a corporation to be held or that requires a method be used to obtain a vote, to also authorize obtaining votes or approvals necessary for domestication. Makes additional clarifying changes.

Amends GS 55A-8-25 to prohibit a committee of the board from recommending to members or approving domestication.

The above provisions are effective October 1, 2023.

Provides that if a protected agreement of a domestic domesticating nonprofit corporation in effect immediately before the domestication becomes effective contains a provision that applies to a merger of the corporation and the agreement does not refer to domestication, then the provision applies to a domestication as if the domestication were a merger until the provision is first amended after October 1, 2023. Sets forth four items that are considered a protected agreement if in effect immediately before October 1, 2023.

Part IV.

Amends GS 55A-1-50, concerning private foundations, by adding that a private foundation's board of directors consists of one or more natural persons, with the number specified in or fixed in accordance with the articles of incorporation or bylaws.

Amends GS 55A-8-03 to require a board of directors of a nonprofit corporation to have three or more persons (was, one or more); makes conforming and clarifying changes. Amends GS 55A-8-11 to allow a board of directors to have fewer than three members due to vacancies until the vacancies are filled.

Applies to corporations organized on or after October 1, 2023.

Part V.

Amends GS 55A-8-25 by providing that the number required to approve the creation of a committee of the board and the appointment of its members applies unless the articles of incorporation or bylaws provide otherwise. Applies to committees created on or after October 1, 2023.

Part VI.

Adds new Part 1, Conversion to Nonprofit Corporation, in Article 11A of GS Chapter 55A, providing as follows.

Allows a business entity that is not a domestic nonprofit, to convert to a domestic nonprofit if (1) the conversion is permitted by the laws of the state or country governing the organization and internal affairs of the converting business entity and (2) the converting business entity complies with the requirements of this Part 17 and, to the extent applicable, the laws referred to above. Defines business entity as a domestic business corporation, including a professional corporation, a foreign business corporation, including a foreign professional corporation, a domestic or foreign nonprofit corporation, a domestic or foreign limited liability company, a domestic or foreign limited partnership, a registered limited liability partnership or foreign limited liability partnership, or any other partnership whether or not formed under the laws of this State.

Requires the converting business entity to approve a written plan of conversion that includes specified information, including the manner and basis for converting the interests in the converting business entity, if any, into any combination of eligible interests or other securities, rights to acquire interests or other securities, obligations, cash, or other property of the resulting domestic nonprofit corporation. Requires the plan to be approved in accordance with the laws of the state or county governing the organization and internal affairs of the converting business entity. Allows amending or abandoning the plan after it has been approved but before articles of incorporation for the resulting domestic nonprofit have become effective, to the extent legally allowed.

Requires the converting business entity to deliver articles of conversion to the Secretary of State for filing after a plan of conversion has been approved. Sets out what must be included in the articles of incorporation. Sets out steps that must be taken when the plan is abandoned after the articles have been filed. Specifies that the conversion takes effect when the articles of incorporation become effective. Requires certificates of conversion to also be registered.

Provides that when the conversion takes effect, then: (1) the converting business entity ceases its prior form of organization and continues in existence as the resulting domestic nonprofit; (2) the title to all real estate and other property owned by the converting business entity continues vested in the resulting domestic nonprofit without transfer, reversion, or impairment; (3) except as otherwise provided by law or by the plan of conversion, all rights, privileges, immunities, powers, and purposes of the converting business entity remain vested in the resulting domestic nonprofit; (4) all debts, obligations, and other liabilities of the converting business entity continue as debts, obligations, and other liabilities of the resulting domestic nonprofit; (5) a proceeding pending by or against the converting business entity may be continued as if the conversion did not occur and allows the name of the resulting domestic nonprofit to be substituted for the name of the converting business entity in any pending action or proceeding; (6) the interests and obligations in the converting business entity are converted to eligible interests or other securities, rights to acquire interests or other securities, obligations, cash, or other property of the resulting domestic corporation in accordance with the plan of conversion; and (7) all of the following apply to the resulting domestic nonprofit corporation: it is incorporated under and subject to GS Chapter 55A, it converts from the converting business entity into its new form of organization without interruption, and it is deemed to have been incorporated on the date that the converting entity was originally incorporated or organized. Specifies that the conversion does not affect the liability or absence of liability of any holder of an interest in the converting business entity for any acts, omissions, or obligations of the converting business entity made or incurred prior to the effectiveness of the conversion. The cessation of the existence of the converting business entity in its prior form of organization does not constitute a dissolution or termination of the converting business entity.

Amends Part 2 of Article 11A of GS Chapter 55A, by renaming the Part to Conversion of Nonprofit Corporation and making the following changes.

Amends GS 55A-11A-10 to require that the plan of conversion of a charitable or religious corporation to a domestic limited liability company comply with the following. If the converting charitable or religious corporation does not have any members entitled to vote on the conversion, the plan must be approved by the board of directors of the converting charitable or religious corporation. If members are entitled to vote on the conversion, the plan must be approved first by the board of directors and then by the members entitled to vote; sets out additional requirements for the voting process. If, as a result of the conversion, one or more members of the converting entity would become subject to new member liability, approval of the plan of conversion requires that each of those members sign a separate record consenting to become subject to the new member liability. Also requires the plan of conversion to be approved by any person or group of persons whose approval is required under GS 55A-10-30 to amend the articles of incorporation or bylaws of the charitable or religious corporation.

Applies to plans of conversion approved on or after October 1, 2023.

Intro. by Moffitt, Woodard, Alexander.

[GS 55A](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Nonprofits](#)

S 534 (2023-2024) [PROTECT WHISTLEBLOWER LEOS FROM RETALIATION](#). Filed Apr 4 2023, *AN ACT PROTECTING FROM RETALIATION LAW ENFORCEMENT OFFICERS THAT REPORT THE USE OF EXCESSIVE FORCE OR OTHER IMPROPER OR UNLAWFUL ACTIVITY*.

Amends GS 15A-401 (Arrest by law-enforcement officer) by creating new subsection (d2) (Protection from Retaliation), which protects law enforcement officers who report what they believe to be excessive use of force under subsection (d1) (Duty to Intervene and Report Excessive Use of Force) from termination or retaliation. Makes filing a knowingly false report under subsection (d1) a Class 2 misdemeanor.

Creates new GS 17C-17, which obligates a criminal justice officer in the line of duty to attempt to intervene and prevent (1) violations of federal, state, city, or county laws, ordinances, or regulations; (2) fraud; (3) misappropriation of state, city, or county resources; (4) activity that poses a substantial danger to public health and safety; or (5) gross mismanagement including waste of public monies or the abuse of authority. Also obligates a criminal justice officer to report any conduct they reasonably believe falls into categories (1) through (5) within 72 hours, even if they did not intervene. Protects a criminal justice officer who files a report under this section from termination or retaliation. Makes filing a knowingly false report under the section a Class 2 misdemeanor.

Creates new GS 17E-17, which extends the same obligations and protections to justice officers and contains text effectively identical to the new GS 17C-17.

Effective and applicable to offenses and retaliatory actions taken on or after December 1, 2023.

Intro. by Hanig, Corbin.

[GS 15A, GS 17C, GS 17E](#)

[View summary](#)

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

S 536 (2023-2024) [UI/ESTABLISH SHORT-TIME COMPENSATION IN NC](#). Filed Apr 4 2023, *AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO ESTABLISH A SHORT-TIME COMPENSATION PROGRAM IN NORTH CAROLINA*.

Enacts new GS 96-45 (Short-time compensation), creating a program that allows an employer to implement a plan for sharing remaining work after an affected group of employees' hours are reduced, while the employees receive short-time compensation

benefits under the State's unemployment program. The employer must submit a proposed short-time compensation plan containing the specified requirements to the Department of Commerce's Division of Employment Security for approval prior to implementation. The new section establishes eligibility requirements for employees and weekly benefit amounts along with a total benefit maximum. Provides that an individual is eligible to receive short-time compensation benefits for any week only if: (1) the individual is employed as a member of an affected unit in an approved plan that was approved before the week and is in effect for the week, (2) the individual is able to work and is available for additional hours of work or for full-time work with the short-time employer, and (2) the normal weekly hours of work of the individual are reduced by at least 10% but not by more than 40%, with a corresponding reduction in wages. Benefits paid under the short-time compensation program count towards an employee's maximum yearly benefit under the unemployment benefit program. Establishes that seasonal and temporary employees are not eligible for participation in the short-time program and defines seasonal employment, temporary employment, and intermittent employment for purposes of the section.

Intro. by Johnson.

[GS 96](#)

[View summary](#)

**Employment and Retirement, Government, State Agencies,
Department of Commerce, Health and Human Services, Social
Services, Public Assistance**

S 537 (2023-2024) [THE PATRICK MAYS HAZARD LIGHT SAFETY ACT](#). Filed Apr 4 2023, *AN ACT REQUIRING THE USE OF HAZARD WARNING SIGNAL LAMPS FOR VEHICLES STOPPED IN HIGHWAY TRAFFIC*.

Amends GS 20-134, requiring that vehicles stopped on a highway that has a posted speed limit of at least 45 miles per hour shall display hazard warning signal lamps. Provides definition of *hazard warning signal lamps*. States that failure to use hazard lights does not constitute negligence per se. Effective October 1, 2023.

Intro. by Marcus, Sawyer, Hunt.

[GS 20](#)

[View summary](#)

Motor Vehicle

S 538 (2023-2024) [LAW ENFORCEMENT INVESTMENT ACT](#). Filed Apr 4 2023, *AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW ENFORCEMENT OFFICERS AND TO APPROPRIATE FUNDS*.

Part I.

Appropriates \$250,000 in recurring funds from the General Fund to the North Carolina Justice Academy for 2024-25 to expand its ability to serve law enforcement agencies of the state by providing more opportunities to attend courses and trainings. Appropriates \$250,000 in nonrecurring funds from the General Fund to the North Carolina Justice Academy for 2024-25 to expand its ability to offer online courses for law enforcement agencies to allow for greater statewide participation in Academy courses and training. Effective July 1, 2024.

Part II.

Requires the North Carolina Justice Academy and the North Carolina Community College System to develop a memorandum of understanding to allow community colleges to provide training and education to those trained and educated by the Academy to alleviate travel time and related costs. Requires the MOU to be submitted to the specified NCGA committee by October 1, 2024.

Part III.

Appropriates \$250,000 in recurring funds from the General Fund to the Department of Justice (DOJ) for 2024-25 to further develop, maintain, and staff the North Carolina Law Enforcement Accreditation Program. Effective July 1, 2024.

Part IV.

Amends GS 17C-20 to open up eligibility for the Criminal Justice Fellows Program (Program) to all counties (was, counties with a population of less than 200,000).

Amends GS 17C-22 to expand upon the Program's purpose to also include forgivable loans for obtaining a Bachelor's Degree or an NC Basic Law Enforcement Training Program certificate of completion. Sets out requirements for recipients of loans for these degrees and certificates, including employment requirements post graduation. Makes conforming changes. Amends GS 17C-23 by making conforming changes to loan terms and disbursement of funds. Gives recipients up to 120 months to repay all funds distributed, including interest, received in pursuit of a Bachelor's Degree and 60 months for those in pursuit of a Basic Law Enforcement Training Program certificate of completion.

Part V.

Amends GS 15A-401 to require the State's law enforcement agencies to designate specially trained law enforcement officers to be a part of an agency Crisis Intervention Team trained in determining whether a person is experiencing a mental or behavioral health crisis and what methods are available to de-escalate or otherwise safely engage in interactions with the person. Requires the establishment of the team by December 1, 2026, in order to remain eligible for Governor's Crime Commission grants.

Appropriates \$250 million from the General Fund to DOJ for grants for the Crisis Intervention Team training. Effective July 1, 2024.

Part VI.

Includes a severability clause.

Intro. by Batch, Garrett, Applewhite.

[APPROP, GS 15A, GS 17C](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Justice](#)

S 540 (2023-2024) [RIGHT TO USE CONTRACEPTION](#). Filed Apr 4 2023, *AN ACT DECLARING THE RIGHT TO USE CONTRACEPTION TO PREVENT PREGNANCY SHALL NOT BE LIMITED*.

Adds new Article 44 to GS Chapter 90 setting out a right to use contraception to prevent pregnancy, stating that the State has no legitimate governmental interest in restricting such use.

Intro. by Grafstein.

[GS 90](#)

[View summary](#)

[Health](#)

S 541 (2023-2024) [FUNDS FOR ASHEVILLE MUNICIPAL GOLF COURSE](#). Filed Apr 4 2023, *AN ACT APPROPRIATING FUNDS TO REVITALIZE THE HISTORIC ASHEVILLE MUNICIPAL GOLF COURSE*.

Appropriates \$2 million for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to The Preservation Society of Asheville and Buncombe Co. Inc. as title indicates. Effective July 1, 2023.

Intro. by Daniel, Moffitt.

[APPROP, Buncombe](#)

[View summary](#)

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

Amends GS 95-25.23, allowing for electronic notice of a determination of a civil penalty for youth employment violations under GS 95-25.5 or related regulations. Requires electronic means to include an email address provided by the employer to the Commissioner of Labor (Commissioner), with delivery receipt, that will be effective to give the employer notice of the penalty.

Amends GS 95-25.23A, increasing the civil penalties permitted for violations of employee recordkeeping requirements under GS 95-25.15(b) or related regulations. Now authorizes a penalty of up to \$750 per employee with a cap of \$4,500 (was, \$250 per employee with a cap of \$2,000). Eliminates the required considerations of the Commissioner in determining the penalty amount. Allows for notice of penalty determinations to be sent by electronic means, including an email address provided by the person to the Commissioner, with delivery receipt, that will be effective to give the person notice of the violation.

Amends GS 95-69.9, which sets out defined terms applicable to the Uniform Boiler and Pressure Vessel Act. Adds and defines *imminent danger* as any condition or practice in any location that a boiler or pressure vessel is being operated such that a danger exists that could be expected to cause death or serious physical harm if the condition is not abated. Adds and defines *menace to public safety* as a boiler or pressure vessel that cannot be operated without a risk of injury to persons and property.

Amends GS 95-69.10(b), modifying the following exemptions from the scope of the Uniform Boiler and Pressure Vessel Act. Makes only vessels used for temporary storage of compressed gases exempt, and explicitly makes permanently installed vessels that are refilled on site subject to the Act. Qualifies the exemption for air tanks installed on rights-of-way of railroads and used directly in the operation of trains by requiring their installation with proper pressure relief devices, and adds that the exemption includes vessels associated with electrical apparatus in electrical switchyards. Exempts the specified pressure vessels not equipped with a quick actuating closure, subject to specified maximum allowable working pressure level limitations; adjusts the limitation for vessels with five cubic feet in volume to allow a maximum allowable working pressure not exceeding 15 psig (was five cubic feet in volume and 250 psig). Exempts unfired hot water storage vessels with nominal capacity not exceeding 120 gallons and containing water at a maximum allowable working pressure not exceeding 160 psig or temperatures not exceeding 210 degrees Fahrenheit (replacing the exemption of pressure vessels with a normal water capacity not exceeding 120 gallons and containing water under pressure temperatures not exceeding 120 degrees Fahrenheit, including those containing air, the compression of which serves as a cushion). Exempts pressure vessels containing water under pressure, including those containing air, the compression of which serves as a cushion, at a temperature not exceeding 110 degrees Fahrenheit and a maximum allowable working pressure not exceeding 300 psig (previously exempted pressure vessels at a temperature not exceeding 100 degrees Fahrenheit), excluding hydropneumatics pressure vessels providing potable water service from regulation (previously did not qualify the exclusion requiring provision of potable water service). Further specifies that the pressure limitation set for the exemption of coil-type hot water supply boilers is the maximum allowable working pressure at 260 psig. Exempts pressure vessels providing potable water service having an internal bladder for containing an air cushion, provided the vessels are not connected to a continuous air source for the purpose of monitoring and maintaining air pressure or volume (replacing the exemption of pressure vessels associated with electrical apparatus in electrical switchyards if the pressure vessels have proper pressure relief devices). Amends subsection (c) to exempt from the construction and inspection requirements of the Department of Labor (Department) indirect fired water heaters (was, hot water storage tanks) heated by steam or any other indirect means, so long as they are equipped as specified and do not exceed listed limitations.

Amends GS 95-69.17, specifying that the Commissioner's authority to refuse to issue or renew, or revoke, suspend, or amend, an inspection certification applies to nonpayment of fees within 30 days of assessment. Allows for notice of determinations to be sent by electronic means, including an email address provided by the person to the Commissioner, with delivery receipt, that will be effective to give the person notice of the penalty.

Enacts GS 95-69.18(d), prohibiting operation of any boiler or pressure vessel subject to the Uniform Boiler and Pressure Vessel Act after the Commissioner has refused to issue or renew, or has revoked an inspection certificate for nonpayment of fees.

Amends GS 95-69.19, establishing a standard penalty of up to \$500 per day for violations of GS 95-69.18 where any boiler or pressure vessel is verified by an inspector to be operated or used in a condition considered to be a menace to public safety or an

imminent danger (replacing existing provisions which set a maximum penalty of \$500 for operation after refusal to issue or after revocation of an inspection certificate under subsection (c), with other violations under subsections (a) and (b) subject to a penalty of up to \$250). Changes make violations of new subsection (d) of GS 95-69.18(d), as enacted, subject to a \$500 penalty as described. Eliminates the required considerations of the Commissioner in determining the penalty amount. Allows for notice of determinations to be sent by electronic means, including an email address provided by the person to the Commissioner, with delivery receipt, that will be effective to give the person notice of the violation.

Amends the following statutes to allow notices of determinations and actions, as appropriate, to be sent by electronic means, including an email address provided by the person to the Commissioner, with delivery receipt, that will be effective to give the person notice, for specified violations: GS 95-110.6(c) (noncomplying elevator devices and equipment); GS 95-110.10(e) (operation of elevator without certificate, not in accordance with Article or rules and regulations, or after refusal to issue or after revocation of certificate); GS 95-111.6(c) (noncomplying amusement devices); GS 95-111.13(g) (operation of amusement device without certificate, not in accordance with Article or rules and regulations, or after refusal to issue or after revocation of certificate); GS 95-123 (noncomplying passenger tramways); GS 95-125.3(e) (operation of passenger tramway without certificate; noncompliance with liability insurance or reporting requirements; operation of unsafe device); GS 95-137(b) (noncompliance with the Occupational and Health Safety Act, or failure to correct violation); and GS 95-234(a) (violation of controlled substance examination regulation).

Further amends GS 95-137 to require persons issued citations to notify the Director of Occupational Safety and Health in writing if the employer wishes to contest the citation or proposed penalty, or request an informal conference, within the time period specified in current law. Makes technical correction.

Repeals Article 22, GS Chapter 95, which requires certain employers to establish safety and health programs and committees.

Intro. by Galey, Barnes, Corbin.

[GS 95](#)

[View summary](#)

**[Business and Commerce, Employment and Retirement,
Government, State Agencies, Department of Labor](#)**

S 543 (2023-2024) [REMOVE BARRIERS TO LABOR ORGANIZING](#). Filed Apr 4 2023, *AN ACT PROVIDING LABOR ORGANIZATIONS WITH THE UNABRIDGED RIGHT TO ENTER INTO LABOR AGREEMENTS AND REPEALING RESTRICTIONS ON LABOR ORGANIZING BY PUBLIC EMPLOYEES*.

Identical to [H 504](#), filed 3/28/23.

Repeals GS 95-79, which made illegal (1) an agreement between an employer and any labor union or labor organization where persons who were not members are denied the right to work for the employer, where membership is a condition of employment, or where the union or organization acquires an employment monopoly in any enterprise or (2) any provision that conditions the purchase of agricultural products, the terms of an agreement for the purchase of agricultural products, or the terms of an agreement not to sue or settle litigation upon an agricultural producer's status as a union or nonunion employer or entry into or refusal to enter into an agreement with a labor union or labor organization. Amends GS 95-78 to make it the State's public policy that the right of persons to work must not be denied or abridged (was, denied or abridged on account of membership or non-membership in any labor union or labor organization or association). Also declares it to be public policy that the rights of labor organizations and associations to enter into labor agreements must not be denied or abridged.

Makes conforming deletions of GS 95-80 (prohibiting membership in labor organizations as a condition of employment) and GS 95-82 (prohibiting payment of dues as a condition of employment).

Amends GS 95-83 by making conforming and clarifying changes.

Repeals Article 12 of GS Chapter 95, concerning units of government and labor unions, trade unions, and labor organizations, and public employee strikes.

Intro. by Grafstein, Murdock, Meyer.

[GS 95](#)

S 544 (2023-2024) [REVISE BUFFER ZONE LIMITATIONS/ELECTIONS](#). Filed Apr 4 2023, *AN ACT TO REVISE THE LAWS REGARDING THE DISTANCE PERMITTED TO ENGAGE IN ELECTION-RELATED ACTIVITY IN A BUFFER ZONE AROUND A VOTING PLACE*.

Amends GS 163-166.4 by increasing the dimensions of buffer zones at voting locations that are set by county boards of elections. Boards shall set increased limits from 50 feet to 100 feet from voting place entrances. Minimum distances from voting place entrances shall increase from 25 feet to 75 feet.

Intro. by Sawrey.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 545 (2023-2024) [INSPECTION RIGHTS REGARDING SUBSIDIARIES](#). Filed Apr 4 2023, *AN ACT TO MODIFY THE RIGHT OF A SHAREHOLDER OF A CORPORATION TO INSPECT THE RECORDS OF A SUBSIDIARY ENTITY OF THAT CORPORATION*.

Amends GS 55-16-02 (Inspection of records by shareholders) to create a right for a qualified shareholder of a corporation to inspect the records of subsidiaries as long as the corporation has actual possession and control of the records, or could obtain the records from the subsidiary (1) without violating any agreements with third parties and (2) if the subsidiary does not have the legal right to deny a request from the corporation. Defines *subsidiary* in GS 55-16-01.1(5).

Effective and applies to written demands for inspection given on or after October 1, 2023.

Intro. by Sawrey.

[GS 55](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships](#)

S 546 (2023-2024) [INFO. RIGHTS OF ESTATE/DEATH OF LLC MEMBER](#). Filed Apr 4 2023, *AN ACT TO CREATE SPECIAL ECONOMIC INTEREST OWNERS OF LIMITED LIABILITY COMPANIES AND TO GRANT THEM INFORMATION RIGHTS AND STANDING TO SEEK JUDICIAL DISSOLUTION*.

Amends GS 57D-1-03, the definitions provisions of the NC Limited Liability Company Act to add defined term *special economic interest owner*, which means a person who owns an economic interest and, as provided in GS 57D-3-02 (cessation of LLC membership), has rights to information and to seek dissolution but is not a member. Makes conforming changes to defined terms *economic interest owner* and *interest owner* to include a *special economic interest owner* among the definitions of those terms.

Amends GS 57D-3-02 to delineate two types of interest that arise when a person ceases to become a member. First, if a person ceases to become a member of the LLC because they are a debtor in bankruptcy; execute an assignment for the benefit of creditors under applicable law; or has a general receiver appointed for them or a trustee, receiver, or liquidator appointed for the liquidation of their property, then the person becomes an economic interest owner. If an individual dies or is adjudicated by a court of competent jurisdiction as incompetent then the member's estate or the member through the member's designated agent or court-appointed guardian will automatically become a special economic interest owner entitled to (1) the economic interest attributable to the member's ownership interest; (2) the member's information rights; and (3) the member's standing to seek judicial dissolution or under an alternative remedy, if applicable, in the operating agreement. Makes organizational changes and terms gender neutral.

Effective October 1, 2023, and applies to requests for information and actions for dissolution commenced on or after that date.

Intro. by Sawrey.

[GS 57D](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships](#)

S 547 (2023-2024) [AMEND DANGEROUS DOG STATUTES](#). Filed Apr 4 2023, *AN ACT TO PROVIDE FOR A PROCEDURE FOR SETTING ASIDE A POTENTIALLY DANGEROUS DOG DESIGNATION*.

Amends GS 67-4.1 (pertaining to procedures for dogs designated as dangerous) as follows. Enacts new subsection GS 67-4.1(d) that provides a procedure for an owner of a potentially dangerous dog designated as such by the county or municipal authority responsible for animal control to request in writing, at any time more than 18 months after the designation, that the authority set aside the designation. Requires an application and an assessment of the dog by a person approved by the authority and accredited by the Certification Council for Professional Dog Trainers or another accrediting body recognized and approved by the authority. Requires the assessment to include, at minimum, an evaluation of the behavior underlying the declaration that the dog was a potentially dangerous dog and the owner's or keeper's ability to manage the dog. Sets forth four factors the authority must consider in ruling on the application. Requires the authority to issue written findings. Creates immunity for any municipality, county, or any of their officers or employees for a decision made in accordance with new GS 67-4.1(d). Effective October 1, 2023.

Intro. by Meyer, Moffitt.

[GS 67](#)

[View summary](#)

[Animals](#)

S 548 (2023-2024) [UNIFORM PARTITION OF HEIRS PROPERTY ACT](#). Filed Apr 4 2023, *AN ACT TO ENACT THE UNIFORM PARTITION OF HEIRS PROPERTY ACT*.

Adds new Part 4, Uniform Partition of Heirs Property Act, to Article 2 of GS Chapter 46A, providing as follows. Defines heirs property as real property held in tenancy in common that satisfies all of the following as of the filing of a partition proceeding: (1) there is no agreement in a record binding all the cotenants which governs the partition of the property; (2) one or more of the cotenants acquired title from a relative, whether living or deceased; and (3) 20% or more of the interests are held by cotenants who are relatives, 20% or more of the interests are held by an individual who acquired title from a relative, or 20% or more of the cotenants are relatives.

Requires a court, in a proceeding to partition real property under Article 2 of GS Chapter 46A to determine whether the property is heirs property; if such a determination is made, then the property must be partitioned under this Part unless all of the cotenants agree otherwise in a record. Sets out the procedure for notice by posting when a petitioner in a partition proceeding seeks authorization for notice by publication and the court decides that the property may be heirs property. Requires any commissioners appointed to partition the property by the court to be disinterested and impartial and not a party to or a participant in the proceeding.

Requires the court, if it determines that the property that is the subject of a partition proceeding is heirs property, to determine the fair market value of the property by ordering an appraisal. Requires the court, however, to adopt a valuation or use another method of valuation when it has been agreed to by all cotenants. Provides that if the court determines that the evidentiary value of an appraisal is outweighed by the cost of the appraisal, the court must determine the fair market value of the property, after an evidentiary hearing, and send notice to the parties. Sets out the procedure to be followed when an appraisal is conducted.

Requires the court, when any cotenant requested partition by sale, after the determination of value, to send notice that any cotenant except one requesting partition by sale, may buy all of the interests of the cotenants making the request. Allows any cotenant, except the one requesting partition by sale, to give notice to the court no later than 45 days after the notice is sent stating that they elect to buy all interest of the cotenant requesting partition by sale. Sets out the process for determining the purchase price. Sets out procedures that apply at the end of the 45 days, varying based on how many of the cotenants

(including, none) elect to buy the interests of the cotenant requesting partition by sale, including setting deadlines by which the electing cotenants must pay their apportioned price. Allows a cotenant who is entitled to buy an interest to request, no later than 45 days after the court sends notice to the parties, that the court authorize the sale as part of the pending proceeding of the interests of cotenants named as respondents and served with the complaint but that did not appear in the proceeding; allows the court to deny the request or authorize the requested additional sale on fair and reasonable terms, subject to the stated limitations.

Provides that when all the interests of all cotenants that requested partition by sale are not purchased by other cotenants, or if, after conclusion of the buyout, a cotenant remains that has requested partition in kind, the court must order partition in kind unless the court, after consideration of all seven listed factors, finds that partition in kind will result in substantial injury to the cotenants as a group. Requires that when the court does not order partition in kind, the court must order partition by sale or, if no cotenant requested partition by sale, the court is required to dismiss the proceeding. Sets out the processes to be followed when the court orders partition in kind.

Requires that when the court orders a sale of heirs property, the sale must be an open-market sale unless the court finds that a sale by sealed bids or an auction would be more economically advantageous and in the best interest of the cotenants as a group. Sets out the procedures to be followed for an open-market sale, including the appointment of a real estate broker when one is not agreed upon; procedures to be followed depending on whether or not the broker receives an offer to purchase in a reasonable time; and requirements for the broker to report to the court. Sets out requirements for when the court orders a sale by sealed bids or an auction.

Provides that in applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it. Sets out how this new Part relates to the Electronic Signature in Global and National Commerce Act.

Makes conforming changes to GS 46A-26.

Applies to petitions for partition filed on or after January 1, 2024.

Intro. by Sawrey, Lowe.

[GS 46A](#)

[View summary](#)

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

S 549 (2023-2024) [DEVELOPMENT MORATORIA/TRANSPORTATION PROJECTS](#). Filed Apr 4 2023, *AN ACT TO AMEND THE REQUIREMENTS FOR LOCAL GOVERNMENT RENEWALS AND EXTENSIONS ON DEVELOPMENT MORATORIA IMPOSED DUE TO PLANNED DEPARTMENT OF TRANSPORTATION PROJECTS*.

Current law, as set forth in GS 160D-107, allows local governments to adopt temporary moratoria on any development approval required by law, except for the purpose of developing and adopting new or amended plans or development regulations governing residential uses. The duration of any moratorium has to be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions. If a local government seeks to adopt a moratorium, it must issue, in addition to other things, a statement of the actions, and the schedule for those actions, proposed to be taken by the local government during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

The act amends GS 160D-107(e) (pertaining to renewals or extension limits for moratoria) to exempt renewals or extensions needed to address scheduled Department of Transportation projects from the statement of actions and schedule discussed above. Instead, the ordinance must provide current information on the status of the projects and any available timeline for completion. Applies to moratoria renewal and extension ordinances adopted on or after the date the act becomes law.

Intro. by Sawyer.

[GS 160D](#)

[View summary](#)

Development, Land Use and Housing, Government, State Agencies, Department of Transportation, Local Government

S 550 (2023-2024) **DIRECT SUPPORT PROFESSIONAL WAGE INCREASES**. Filed Apr 4 2023, *AN ACT TO PROVIDE A WAGE INCREASE TO DIRECT SUPPORT PROFESSIONALS THAT SERVE MEDICAID BENEFICIARIES RECEIVING SERVICES UNDER THE NORTH CAROLINA INNOVATIONS WAIVER*.

Contains whereas clauses. Directs the Department of Health and Human Services, Division of Health Benefits (DHB) to increase the rate for services provided by direct support professionals (DSP) to Medicaid recipients under the North Carolina Innovations waiver, with the goal of increasing the hourly wages paid by providers to DSPs by \$3.25 per hour for the 2023-24 and 2024-25 fiscal years. Requires providers receiving the rate increase to use at least 90% of the funding that results from the rate increase to pay higher wages to their DSP workforce. The wage increase should be in addition to the pay rate the DSP was receiving as of June 30, 2023. The rate increase is effective on the date the Centers for Medicare and Medicaid Services approve the increase, but no sooner than July 1, 2023.

Also requires DHB to adjust the per member per month capitation amounts paid to local management entities/managed care organizations (LME/MCO) to reflect the same rate increases. Requires that all providers employing DSPs verify to DHB or the relevant LME/MCO that at least 90% of the funding from the rate increase is being used to increase DSP pay. DHB is required to set standards for documentation to be required as verification and LME/MCOs must use the same standards.

Permits DHB to recoup part or all of the funds related to the rate increase if a provider does not use at least 90% of the funding to pay DSPs.

Requires LME/MCOs to report on a quarterly basis during the 2023-25 biennium regarding provider development efforts and provider rate increases to the Joint Legislative Oversight Committee on Medicaid.

Appropriates \$72 million to DHB from the General Fund in recurring funds for each year of the 2023-25 fiscal biennium for the rate increases. These funds are a state match for federal funds of \$140 million for each year of the 2023-25 biennium, and the federal funds are also appropriated to DHB for this purpose.

Intro. by Grafstein, Moffitt.

APPROP

[View summary](#)

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

S 551 (2023-2024) **EXTEND COVID SAFE HARBOR**. Filed Apr 4 2023, *AN ACT TO RESTORE THE LIMITED IMMUNITY FROM LIABILITY FOR CLAIMS BASED ON TRANSMISSION OF CORONAVIRUS DISEASE 2019 (COVID-19)*.

Repeals GS 99E-72, which made GS Chapter 99E Article 8 (providing limited immunity from claims for relief arising from any act or omission alleged to have resulted in the contraction of COVID-19) applicable to claims arising no later than 180 days after the expiration or rescission of Executive Order No. 116 issued by the Governor on March 10, 2020 (which declared a State of Emergency in response to COVID-19 and set out related provisions).

Specifies that this does not affect any immunity from liability provided under SL 2020-3 (which sets out numerous provisions in response to COVID-19).

Intro. by Moffitt, Lazzara.

GS 99E

S 552 (2023-2024) **MODIFICATIONS TO NOTARY PUBLIC ACT**. Filed Apr 4 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE NOTARY PUBLIC ACT*.

Enacts GS 10B-4 to authorize the North Carolina Secretary of State or the Secretary's designee (Secretary) to adopt rules necessary to administer and enforce GS Chapter 10B. Amends GS 10B-134.1 (the definitions sections pertaining to remote electronic notarization) to add *custodial services*, *custodian*, *depository*, and *depository services* as new defined terms. Amends defined term *platform*. Deletes defined term *remote electronic notary public or remote electronic notary* (a notary public who is registered with the Secretary to perform remote electronic notarizations). Makes conforming changes to GS 10B-134.1, GS 10B-102 (scope of article), GS 10B-105 (qualifications), GS 10B-117 (notarial components of electronic document), GS 10B-134.3 (types of remote electronic acts), GS 10B-134.5 (use of communication technology), GS 10B-134.7 (authority to perform electronic notarial acts), GS 10B-134.9 (requirements and procedures for remote electronic notarial acts), GS 10B-134.11 (verification of identity), GS 10B-134.13 (electronic notarization and remote electronic notarization), GS 10B-134.15 (electronic journal of remote electronic notarial acts), GS 10B-134.17 (security measures by notary), GS 10B-134.19 (platform licensure by Secretary), GS 10B-134.21 (rules for electronic notarial acts), 10B-134.23 (standards for services for remote notaries), and GS 10B-134.25 (barring notaries that are not attorneys from practicing law in real estate transactions) to remove references to remote electronic notary, so that the statutes only refer to electronic notary or to remote electronic notarization performed by an electronic notary.

Amends GS 10B-107 to increase the required course for notarial licensure from three hours to four hours. Specifies that a person must comply with course and other requirements before performing electronic or remote electronic notarial acts (currently, just refers to performing electronic notarial acts). Expands the scope of the course content to also include remote electronic notarization (currently just specifies electronic notarization).

Effective July 1, 2023, and applies to notarial acts performed on or after that date.

Intro. by Daniel, Craven.

GS 10B

[View summary](#)

Courts/Judiciary, Civil, Civil Law

S 553 (2023-2024) **LANDLORD-TENANT AND HOA CHANGES**. Filed Apr 4 2023, *AN ACT TO PROHIBIT COUNTIES AND CITIES FROM ADOPTING CERTAIN ORDINANCES, RULES, AND REGULATIONS THAT WOULD PROHIBIT LANDLORDS FROM REFUSING TO RENT TO TENANTS BECAUSE A TENANT'S LAWFUL SOURCE OF INCOME TO PAY RENT INCLUDES FUNDING FROM A FEDERAL HOUSING ASSISTANCE PROGRAM; TO REGULATE SUPPORT ANIMALS AND SERVICE ANIMALS IN RESIDENTIAL TENANCIES; TO EXPAND AUTHORIZED LITIGATION COSTS IN SUMMARY EJECTMENT MATTERS; TO MAKE CLARIFYING CHANGES TO LANDLORD-TENANT LAW; AND TO ADJUST THE APPLICABILITY OF HOMEOWNERS' ASSOCIATIONS' DECLARATION AMENDMENTS TO HOMEOWNERS*.

Identical to [H 551](#), filed 4/3/23.

Amends GS 42-14.1 (bar on local rent control regulations) to also bar local governments from enacting, maintaining, or enforcing any ordinance or resolution which prohibits an owner, lessee, sublessee, assignee, managing agent, or other person having the right to lease, sublease, or rent a housing accommodation from refusing to lease or rent the housing accommodation to a person because the person's lawful source of income to pay rent includes funding from a federal housing assistance program. Makes conforming changes to section title and organizational changes.

Enacts new GS 42-47, pertaining to service and support animals. Defines health service professional, person with a disability, service animal, support animal, and therapeutic relationship. Bars a landlord from doing any of the following based, in part, upon a tenant, applicant, or household member's status as a person with a disability or use of a service or support animal: (1) terminate or fail to renew a tenancy; (2) refuse to enter into a rental agreement; (3) impose different terms, conditions, or

privileges in the rental of a dwelling; or (4) otherwise make unavailable a dwelling unit or otherwise retaliate in the rental of a dwelling. Permits the landlord to require written verification from a healthcare provider if the disability is not observable or already known. Permits such written verification to be provided by an out-of-state provider if a person is moving from another state.

Provides for a private right of action for a landlord against any person who intentionally or knowingly does any of the following: (1) misrepresents to a landlord that the person is a person with a disability or that the person has a disability-related need for the use of a service animal or a support animal; (2) makes a materially false statement to a health service professional for the purpose of obtaining documentation or verification that the person has a disability-related need for the use of a service animal or a support animal; (3) provides a document or verification to a landlord that misrepresents that an animal is a service animal or a support animal; (4) fits an animal that is not a service animal or a support animal with an item that would cause a reasonable person to believe that the animal is a service animal or a support animal; (5) does any of the following as a health service professional: (i) verifies a person's disability status and need for a service animal or a support animal without personal knowledge of the person's condition adequate to provide a reliable verification or (ii) charges a fee for providing a written verification for a person's disability status and need for a service animal or a support animal and provides no additional service to the person, unless the health service professional has an ongoing relationship with a person with a disability or conducts a good-faith consultation with a person with a disability for the purpose of providing a diagnosis and treatment recommendation.

Specifies that a landlord prevailing in a private action can recoup actual damages and permits the court to award civil penalties between \$500 and \$1000 for each violation.

Clarifies that landlords are still permitted to require persons with a service/support animal to comply with the terms of the lease, pay for the cost of repairs to the dwelling unit resulting from the service/support animal, and subject to applicable law, sign an addendum or other agreement that sets forth the responsibilities of an owner of a service/support animal in a dwelling unit.

Provides that, subject to any other State, federal, or local law, a landlord who permits a service/support animal in a dwelling unit is not liable to another person for injury caused by the person's support/service animal.

Amends GS 42-53 to exempt service/support animals from pet fees charged by landlords. Effective January 1, 2024, and applies to rental agreements or leases entered into on or after that date.

Amends GS 42-46 (pertaining to fees, costs, and expenses authorized to be imposed in any residential rental agreement) to allow for late fees to be imposed when rent is five calendar days late. (Currently statute just specifies five days late.) Amends the litigation costs provision to add an attorneys' fees provision for small claims and summary ejectment, which is not to exceed for small claims hearings more than 15% of the amount owed by the tenant or 15% of the tenant's monthly rent stated in the lease if eviction is based on default other than nonpayment of rent, and all actual reasonable attorneys' fees paid or owed for any appeals of summary ejectment matters. Effective when the act becomes law and is intended to apply retroactively to all pending controversies as of that date. States that these amendments are intended to be clarifying of the General Assembly's intent under previous amendments to this statute.

Amends the NC Condominium Act by enacting GS 47C-2-117.1A, pertaining to amendments of a declaration of condominium, and GS 47F-2-117.1, pertaining to amendments of a declaration of planned communities, as follows. Specifies that amendments made to the declaration pursuant to GS 47C-2-117 will only affect unit owners whose units are conveyed or transferred after the amendment takes effect. Provides that for amendments made while a unit owner owns a unit, the amendment has no effect until the unit is conveyed or transferred to another unit owner and that a unit owner takes the unit subject to existing rules in the declaration at the time of conveyance or transfer of the unit.

Intro. by Perry, Craven, Moffitt.

GS 42, GS 47C, GS 47F

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Government, Local Government**

S 554 (2023-2024) [STUDY & ABATE OCULAR MELANOMA/FUNDS](#). Filed Apr 4 2023, *AN ACT APPROPRIATING FUNDS TO STUDY AND ABATE OCULAR MELANOMA IN NORTHERN MECKLENBURG COUNTY*.

Appropriates \$200,000 in nonrecurring funds for 2023-24 from the General Fund to the UNC Board of Governors to be allocated to East Carolina University to study the potential causes of and solutions for abating ocular melanoma in the towns of Huntersville and Cornelius and the surrounding area. Requires coordination with the North Carolina Collaboratory in conducting the study and requires employing the specified strategies recommended by the North Carolina Policy Collaboratory. Requires a report on the results of the study to the specified NCGA committees on or before December 1, 2024. Effective July 1, 2023.

Intro. by Marcus, Smith.

[APPROP, STUDY](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Health and Human Services, Health](#)

S 556 (2023-2024) [END MENSTRUAL POVERTY ACT](#). Filed Apr 4 2023, *AN ACT TO INCREASE ACCESS TO FEMININE HYGIENE PRODUCTS IN NORTH CAROLINA DIAPER BANKS AND TO INCREASE FUNDS FOR THE FEMININE HYGIENE PROGRAM*.

Appropriates \$350,000 from the General Fund to the Department of Health and Human Services for 2023-24 to be allocated to the Diaper Bank of North Carolina to increase the accessibility of feminine hygiene products in local diaper banks.

Appropriates \$1 million in recurring funds from the General Fund to the Department of Public Instruction for 2023-24 to fund the Feminine Hygiene Products Grant Program under GS 115C-377.

Effective July 1, 2023.

Intro. by Murdock, Mayfield, Marcus.

[APPROP](#)

[View summary](#)

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

S 557 (2023-2024) [EXPAND MINORITY BUSINESS CAPACITY](#). Filed Apr 4 2023, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF ADMINISTRATION AND CLARIFYING THE DEFINITION OF THE TERM "RESPONSIBLE, RESPONSIVE BIDDER" TO INCREASE THE NUMBER OF MINORITY AND HISTORICALLY UNDERUTILIZED BUSINESSES USED IN STATE CONTRACTS*.

Appropriates \$500,000 for 2023-24 from the General Fund to the Department of Administration, Offices of Historically Underutilized Business (HUB), to improve existing and create new outreach plans to educate minority businesses on State laws that encourage or require minority participation in State contracts. Also requires HUB to improve and create programs to foster interaction between minority and nonminority businesses to increase the number of minority subcontractors used in State contracts. Requires HUB to study whether the current "good-faith efforts" required under GS 143-128.2 (Minority business participation goals) should be expanded or simplified and requires a report on findings and recommendations by February 15, 2024, to the specified NCGA committee and division.

Appropriates \$15 million for 2023-24 from the General Fund to the Department of Administration for the ReTOOLNC grant program to provide assistance to historically underutilized businesses in recovering from the COVID-19 pandemic.

Appropriates \$2 million for 2023-24 from the General Fund to HUB to be allocated to community development financial institutions to support and develop African American and minority-owned businesses.

Appropriates \$1 million for 2023-24 from the General Fund to HUB to be allocated to African American and community-based organizations to aid in outreach to encourage participation in State contracts and to conduct training on the certification process. Requires the Department of Administration to develop a grant process for these funds and requires a report on the criteria and recipients by December 1, 2023, to the specified NCGA committee and division.

Appropriates \$2 million for 2023-24 from the General Fund to HUB to be allocated to local governments to study disparities in the awarding of local public contracts to minority and nonminority contractors and subcontractors. Requires the Department of Administration to develop a grant process for these funds and requires a report on the criteria and recipients by December 1, 2023, to the specified NCGA committee and division.

Appropriates \$250,000 for 2023-24 from the General Fund to HUB to purchase or contract for software to collect compliance data on: (1) the State's policy to encourage and promote the use of small contractors, minority contractors, physically handicapped contractors, and women contractors in State purchasing of goods and services and (2) the State's verifiable 10% goal for participation by minority businesses in the total value of work for each State building project. Also requires HUB to use the software for quarterly reports on data and compliance with GS 143-38 (State policy; cooperation in promoting the use of small contractors, minority contractors, physically handicapped contractors, and women contractors; purpose; required annual reports) and GS 143-128.2 (Minority business participation goals). Requires HUB to report annually on the data and information collected for each of the preceding four quarters to the specified NCGA committee and division.

Part II.

Amends GS 143-129, concerning the procedure for the letting of public contracts, to allow proposals to be rejected for failure to comply with GS 143-128.2(c), which sets out requirements for a bidder to identify on its bid the minority businesses that it will use on the project and an affidavit listing the good faith efforts it has made and the total dollar value of the bid that will be performed by the minority businesses. Requires, when awarding the contract, taking into consideration the bidder's compliance with that same provision, and past performance on contracts.

Part III.

Provides that the act's headings do not expand, limit, or define the text of this act.

Part IV.

Effective July 1, 2023.

Intro. by Murdock.

APPROP, GS 143

[View summary](#)

Business and Commerce, Development, Land Use and Housing, Building and Construction, Government, State Agencies, Department of Administration, State Government, State Property

S 558 (2023-2024) BROADBAND AFFORDABILITY PROG./DIGITAL EQUITY. Filed Apr 4 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA BROADBAND ASSISTANCE PROGRAM TO PROVIDE FUNDS TO ELIGIBLE LOW-INCOME FAMILIES TO HELP MAKE BROADBAND ACCESS MORE AFFORDABLE.*

Requires the Department of Commerce (DOC) to establish the North Carolina Broadband Assistance Program (Program). Requires DOC to coordinate with county departments of social services to determine eligibility for low-income families for the Program. Makes families with annual household income at or below 100 of the federal poverty level eligible for free broadband service. Provides a credit of at least \$15 per month for broadband service to families with annual household incomes above 100%, but no greater than 135%, of the federal poverty level and that include at least one adult individual or dependent child who qualifies for or participates in at least one of the six specified assistance programs. Allows credits to be adjusted according to family size.

Requires program applicants to demonstrate income qualifications at least annually. Requires providing information so that funds can be provided directly to the broadband service provider. Allows terminating participation in the Program upon

notification by the broadband service provider that the Program recipient's account is more than 45 days past due. Requires DOC to report on the Program quarterly beginning October 1, 2023, to the specified NCGA committee and division. Specifies information that must be included in the report, including any legislative recommendations relating to the Program.

Appropriates \$250 million for 2023-24 from the General Fund to DOC for the Program.

Effective July 1, 2023.

Intro. by Murdock.

[APPROP, UNCODIFIED](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Commerce, Health and Human Services, Social Services, Public Assistance, Public Enterprises and Utilities](#)

S 559 (2023-2024) [TREASURY ADMINISTRATIVE CHANGES ACT.-AB](#) Filed Apr 4 2023, *AN ACT MAKING CLARIFYING AND ADMINISTRATIVE CHANGES TO LAWS RELATING TO THE DEPARTMENT OF STATE TREASURER'S BANKING OPERATIONS AND INVESTMENT PROGRAMS, AS RECOMMENDED BY THE DEPARTMENT OF STATE TREASURER.*

Identical to [H 173](#), filed 2/22/23.

Amends GS 147-68.1 to require the cost of banking operations of the Department of State Treasurer (Department) to be apportioned and paid equitably among the funds and programs using the Department's services, as prescribed by the State Treasurer. Requires the income and assets of the funds and programs using the Department's services to pay the cost of banking operations to the extent the costs are not otherwise chargeable directly to the income or assets of a specific fund or program (no longer requiring deposits with the Treasurer as a general fund nontax revenue and costs to be covered by appropriations to the State Treasurer in the Appropriations Act). Directs apportionment and payment to be accounted for in a manner determined by the State Treasurer.

Amends GS 147-69.3 to require the cost of administering the State Treasurer's investment programs to be apportioned and paid equitably among the established programs in a manner prescribed by the State Treasurer. Requires the administration costs to be paid from the income and assets of a particular investment program when not otherwise chargeable directly to the income or assets of the program (no longer requiring deposits with the Treasurer as a General Fund nontax revenue and appropriations to cover costs not directly paid from the income or assets of the particular program). Directs apportionment and payment to be accounted for in a manner determined by the State Treasurer.

Amends GS 147-76, changing the statute's caption. Adds a new provision deeming the cost of administration, management, and operations of the Department to be accounted for in a manner determined by the State Treasurer. Makes technical changes.

Intro. by Krawiec, Ford.

[GS 147](#)

[View summary](#)

[Government, State Agencies, Department of State Treasurer](#)

S 560 (2023-2024) [MEDICAL TREATMENT FOR MINORS ACT.](#) Filed Apr 4 2023, *AN ACT TO ESTABLISH GOVERNING PROVISIONS FOR THE TREATMENT OF GENDER DYSPHORIA FOR PERSONS UNDER EIGHTEEN YEARS OF AGE.*

Contains whereas clauses. Amends GS Chapter 90 by enacting Article 1M (Minor Protection Act) to regulate the treatment of gender dysphoria for persons under 18 years old. Prohibits a physician or other health care provider from providing gender transition procedures to any persons under 18 years old unless the procedure meets all the requirements of GS 90-21.141(b). The conditions for a lawful gender transition procedure are: (1) certification from at least two physicians (one of which must be a pediatric psychiatrist not employed by the practice or institution as the other certifying physician) that the patient suffers from a condition that would benefit from a gender transition procedure; (2) both parents must sign the standardized consent form, as defined in GS 90-21.143; (3) the patient must sign the standardized consent form; (4) the patient must receive care consisting of at least monthly appointments with a pediatric psychiatrist for the six months preceding the gender transition

procedure; (5) both the physician and the pediatric psychiatrist must separately document the need for ongoing therapy every six months; and (6) the patient must receive ongoing care from a pediatric psychiatrist until the patient reaches the age of majority.

Provides a list of procedures which are not subject to these requirements, including (1) services for people born with a sex development disorder such as external biological sex characteristics that are ambiguous; (2) services for people diagnosed with a disorder of sexual development through genetic or biochemical testing; (3) treatment for any infection, injury, disease, or disorder caused or exacerbated by gender transition procedures; (4) procedures undertaken because the patient suffers from a physical disorder, injury, or illness that would place the patient in imminent danger of death or impairment of major bodily function unless surgery is performed.

Prohibits the use, payment, grant, or distribution of public funds by or to any entity, organization, or individual that provides gender transition procedures to a minor in GS 90-21.142.

Requires the Department of Health and Human Services to develop a standardized consent form for gender transition procedures governed by the new Article 1M. Requires the minor and the minor's parents to sign the standardized consent form at least 30 days before the first treatment and at every subsequent treatment thereafter. Contains specific text that must be included in the consent form, including a specific statement if the procedure uses puberty blockers, cross-sex hormones, or surgical procedures.

Establishes civil liability for the physician or health care provider if the minor is injured, including suffering any physical, psychological, emotional, or physiological injury from the gender transition procedure under GS 90-21.144. Requires that a claim for injuries from the procedure be filed within 15 years of the date the minor reaches the age of majority, or would have reached the age of majority if the minor dies before that date. Outlines defenses to liability based on compliance with the requirements of the Article.

Mandates that a violation of the Article will be considered unprofessional conduct and will justify revocation of licensure and other appropriate discipline by the appropriate licensing authority of the health care provider under GS 90-21.145. Permits a person to assert a violation of the Article as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages and other appropriate relief. Establishes that the certification required by the Article is not a defense to a claim brought under state or federal law for medical malpractice or other civil claims.

Includes a severability clause in GS 90-21.146. Amends GS 90-21.5 to clarify that a minor's consent for health services does not apply to any gender transition procedure under GS 90-21.140. Directs the North Carolina Medical Board to adopt temporary rules to implement the provisions of the act.

Effective October 1, 2023.

Intro. by Krawiec, Burgin, Corbin.

GS 90

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

S 561 (2023-2024) **REPEAL COLLECTIVE BARGAINING BAN**. Filed Apr 4 2023, *AN ACT REPEALING THE BAN ON PUBLIC EMPLOYEE COLLECTIVE BARGAINING*.

Identical to [H 243](#), filed 3/1/23.

Repeals GS 95-98, as the title indicates.

Intro. by Waddell.

GS 95

[View summary](#)

**Employment and Retirement, Government, State
Government, State Personnel, Local Government**

S 562 (2023-2024) **RELOCATE TELECOM UTIL FOR HWY CONSTRUCTION**. Filed Apr 4 2023, *AN ACT TO GOVERN RELOCATION OF TELECOMMUNICATIONS UTILITY FACILITIES BY THE DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF HIGHWAY IMPROVEMENTS*.

Amends GS 136-19.5 to direct procedures for the Department of Transportation in cases of construction projects that require telecommunications utilities to relocate a line, facility, or a system related to telecommunications. The Department must notify telecommunications utilities when relocation is required, and within 30 days, telecommunications utilities shall alert the Department if the telecommunications utility will design plans for relocation. Authorizes the Department to manage plans of relocation if 30 days have passed. Bill includes definitions of *relocation* and *telecommunications utility*.

Intro. by Sawyer, Lazzara, McInnis.

GS 136

[View summary](#)

**Government, State Agencies, Department of Transportation,
Public Enterprises and Utilities, Transportation**

S 563 (2023-2024) **ELDERLY PROP. TAX APPRECIATION EXCLUSION**. Filed Apr 4 2023, *AN ACT TO GRANT PROPERTY TAX RELIEF TO NORTH CAROLINA RESIDENTS WHO ARE SIXTY-FIVE YEARS OF AGE OR OLDER*.

Substantively identical to [H 105](#), filed 2/13/23.

Enacts new GS 105-277.1G, creating a process where a qualifying elderly homeowner may defer increases on property taxes due for their primary residence. Defines “qualifying owner” as a NC resident at least age 65 who has owned the property as a permanent residence for at least five consecutive years and occupied the primary residence for at least five years. Assesses the taxable value of a qualifying owner’s primary residence at the lower of either the true value or the assessed value in the first year the qualifying owner’s application for property tax relief is accepted. Permits the qualifying owner to defer the portion of property taxes due on any increase in assessed value. Provides that a husband and wife may share the deferral benefit on a primary residence if one is a qualifying owner, but denies this benefit to other primary residences owned by two or more persons unless all owners are qualifying owners under the section.

Mandates that each taxing unit record and carry forward the deferred taxes. Establishes disqualifying events and the amount of taxes due and payable upon the loss of eligibility for a deferral. Prevents any mortgagee or trustee who elects to pay the deferred portion of the property taxes from foreclosing on the property as a result of that election. Makes void any provision in a deed of trust or mortgage forbidding an owner from deferring property taxes as permitted under the section. Requires the county tax assessor to notify qualifying owners of their eligibility no later than January 15 preceding the tax year for the owner’s eligibility.

Makes conforming changes to GS 107-277.1 (concerning the elderly or disabled property tax homestead exclusion) and GS 105-282.1 (a)(2)c (concerning the application for special classes of property classified for taxation at a reduced valuation).

Effective for taxes imposed for taxable years beginning on or after July 1, 2023.

Intro. by Waddell.

GS 105

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Government, Tax**

Enacts Article 51A to GS Chapter 1, which it names the Improper Action Claims Act. In GS 1-620, states that the article's purpose is to allow citizens of the State who become aware of actions by a public entity that do not comply with legislation enacted by the State to have a cause of action against the public entity to cure noncompliance and to provide remedies in the form of damages. Defines *public entity* as any board, commission, department, executive department, officer, institution, and any political subdivision of the State. Also defines *Attorney General*, *judiciary*, *knowing or knowingly*, *material*, *obligation*, and *senior executive branch official*.

Specifies that a public entity that knowingly fails to comply with an obligation shall be liable for a civil penalty of not less than \$5,500 and not more than \$11,000 and for the costs of a civil action to recover any of those penalties or damages. Specifies that a public entity may be sued notwithstanding any statutory or governmental immunity that the public entity could otherwise invoke in any civil action not arising under Article 51A. Requires Attorney General to investigate alleged violations of the act and authorizes the Attorney General to bring a civil action against a public entity if it finds a violation of the act. Authorizes the Attorney General to retain a portion of damages as reimbursement for costs in investigating and bringing suit, with the remainder of the proceeds to be used by the Attorney General to carry out the provisions of the act. Authorizes a civil action (the "qui tam action") against a public entity by a private person in the name of the state, so that the private person is a qui tam plaintiff (i.e., a person who brings a lawsuit on behalf of a government entity). Sets forth procedures related to the filing of the qui tam action, intervention, and the State's right to take over the qui tam action. Sets forth eight rights of the parties to a qui tam action. Provides for awards of a percentage of damages to the qui tam plaintiff as well as reasonable attorneys' fees and costs.

Enacts GS 1-621, pertaining to general provisions. Lists the following prohibited actions:

- No court shall have jurisdiction over an action brought under Article 51B against a member of the General Assembly, a member of the judiciary, or a senior executive branch official acting in their official capacity if the action is based on evidence or information known to the State when the action was brought.
- In no event may a person bring an action under GS 1-620 that is based upon allegations or transactions that are the subject of a civil suit or an administrative civil money penalty proceeding in which the State is already a party.
- Unless opposed by the State, the court must dismiss an action or claim under GS 1-620 if substantially the same allegations or transactions as alleged in the action or claim were publicly disclosed by any of the following: (i) a State criminal, civil, or administrative hearing in which the State or its agent is a party, (ii) a State legislative, Office of the State Auditor, or other State report, hearing, audit, or investigation, (iii) the news media. This subsection does not apply to any action brought by the Attorney General or when the person bringing the action is an original source of the information. Defines original source.

Specifies that the State is not liable for expenses that a qui tam plaintiff incurs in bringing a qui tam action. Prohibits retaliation.

Enacts GS 1-622 (pertaining to civil investigative demands), which authorizes the Attorney General to issue administrative subpoenas in relation to alleged violations of Article 51A. Sets out requirements for the production of documents. Provides for custodian of the documents and for confidentiality. Provides for judicial enforcement of administrative subpoena and specifies authorized use of the documents obtained.

Enacts GS 1-623, pertaining to procedural matters related to the cause of action set forth in GS 1-620, including statute of limitations, intervention by the Attorney General, the burden of proof, estoppel, venue, and service of process on federal, state, or local authorities.

Enacts GS 1-624, pertaining to remedies. Clarifies that the provisions of Article 51A are not exclusive. Contains severability clause. Sets forth reporting requirements for settlements or judgments paid by public entities. On or before February 1 of each year, requires the Attorney General to submit a report to the specified joint NCGA Committees on the number of qui tam cases under this Article pending in the State, the number of qui tam cases under this Article that were settled, the number of qui tam cases in which judgment was entered, and the amount of proceeds paid to qui tam plaintiffs during the previous calendar year. Authorizes the Attorney General to adopt rules to carry out Article 51A.

Applies to obligations existing on or after the act becomes law.

[View summary](#)**Courts/Judiciary, Civil, Civil Law**

S 565 (2023-2024) **REMOVING BARRIERS TO JOBS AND HOUSING**. Filed Apr 4 2023, *AN ACT TO IMPROVE THE SECOND CHANCE ACT BY REVISING THE LAWS GOVERNING THE AUTOMATIC EXPUNCTION OF RECORDS AND THE AVAILABILITY OF EXPUNGED RECORDS*.

Amends GS 15A-146(a4) to require that the expungement by operation of law required by that subsection for charges that are dismissed or result in not guilty or not responsible findings after December 1, 2021, must occur no more than 180 days after the date of final disposition.

Creates new subsection (a1) in GS 15A-151, making expunged court records confidential files to be retained by superior court clerks under the applicable retention schedule. Creates new subsection (a2), requiring the Administrative Office of the Courts (AOC) to make all confidential records available electronically to clerks of superior court, and outlining that a clerk may only disclose the confidential records (1) to a person requesting that person's own records, (2) to a district attorney or assistant district attorney, or (3) to the Office of the Appellate Defender if that office is appointed counsel for the person subject to the expunged record.

Repeals subdivisions (a)(1) through (9) of GS 15A-151.5, allowing the AOC to make electronically available all confidential files related to expunctions under GS 15A-151 to State prosecutors. Makes a corresponding change to subsection (b) allowing the use of expunged convictions granted on or after July 1, 2018, as prior convictions for certain purposes enumerated in the subsection.

Amends section 1, subsection (b), of SL 2022-47, extending the temporary automatic expunction pause to December 1, 2023. Amends Section 2, subsection (c), by adding language to clarify that any expungement under the subsection is deemed to have occurred five business days after the date the individual expunction was carried out by the AOC.

Section 1 of the act amending GS 15A-146, GS 15A-151, and GS 15A-151.5 is effective December 1, 2023.

[View summary](#)**Courts/Judiciary, Criminal Justice, Corrections
(Sentencing/Probation)**

S 566 (2023-2024) **INCREASE INNOVATIONS WAIVER SLOTS**. Filed Apr 4 2023, *AN ACT TO INCREASE THE AMOUNT OF INNOVATIONS WAIVER SLOTS AVAILABLE FOR THE 2023-2025 FISCAL BIENNIUM*.

Appropriates \$36.7 million in recurring funds for 2023-24 and \$72.5 million in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Health Benefits (DHB), to be used for increasing the number of North Carolina Innovations Waiver slots. The funds are a match for \$99.3 million in recurring federal funds for 2023-24, and \$191.9 million in recurring federal funds for 2024-25, and those funds are also appropriated to DHB for implementation of the act.

Requires DHB to amend the Innovations Waiver to increase the number of slots by 2,000 for the 2023-24 fiscal year, to be available beginning October 1, 2023, unless approval through the Centers for Medicare and Medicaid Services is required. Directs DHB to allocate the additional 2,000 waiver slots through the currently applicable allocation formula. Establishes a procedure for distributing waiver slots that are not accepted by the initially selected recipients.

Requires DHB to amend the Innovations Waiver for 2024-25 to increase the number of slots available by 2,000, using the same applicable allocation formula. These slots are made available on July 1, 2024.

Effective July 1, 2023.

Intro. by Grafstein, Moffitt.

APPROP

[View summary](#)

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

S 567 (2023-2024) **SCHOOL MENTAL HEALTH SUPPORT ACT**. Filed Apr 4 2023, *AN ACT TO APPROPRIATE FUNDS FOR A SCHOOL MENTAL HEALTH GRANT PROGRAM AND TO ESTABLISH A MENTAL HEALTH WORKER LOAN REPAYMENT PROGRAM*.

Enacts new GS 115C-376.6, the School Mental Health Grant Program (Program), to be established by the Department of Public Instruction (DPI). Specifies that the Program's purpose is to increase student access to mental health support personnel in public school units. Defines *mental health support personnel*. Sets forth an application process, and authorizes DPI to set deadlines and application information. Requires DPI to award funds to selected public school units based on the need of the public school unit. In evaluating the need of the unit, DPI must prioritize the award of funds to units with a greater proportion of students who have limited or no access to mental health services, including students who do not have health insurance and students with disabilities. Requires public school units that receive Program funds to contract with mental health support personnel to provide mental health services in one or more schools in the unit. Specifies that the Program grants must supplement, not supplant, existing funds for mental health services. Starting on March 15, 2024, sets annual reporting requirements to the specified NCGA committees on the Program, with four required prongs of information. Appropriates \$40 million from the General Fund to DPI in recurring funds for 2023-24 to provide grants for school mental health services in public school units. Allows DPI to use up to \$50,000 of the funds each year for Program administrative costs.

Enacts GS 116-209.47, the Mental Health Worker Loan Repayment Program (Repayment Program) to be administered by the State Education Assistance Authority (Authority). Specifies that the purpose of the Repayment Program is to provide loan repayment grants to eligible mental health workers to repay student debt held by the worker to the extent funds are made available for this purpose. Defines *authority*, *eligible mental health worker*, *high-need area*, *program*, and *student debt*. Authorizes the Authority to establish the following criteria for initial and continuing eligibility in the Repayment Program: (1) NC residency and graduation from a postsecondary constituent institution of UNC; (2) standards adopted by the Authority to ensure that only qualified potential recipients receive a grant; and (3) to the extent funds provided are insufficient to award forgivable loans to all interested applicants, authorizes the Authority to establish a lottery process for selection of grant recipients from among qualified applicants. Sets the award amount at 20% of each eligible mental health worker's student debt as of the date of his or her initial award. Provides for a distribution date. Sets a limit of five years for each recipient to receive an award of funds. Authorizes the Authority to adopt rules to implement the Repayment Program. Requires the Authority to submit a report to the specified NCGA committee by December 1, 2023, and every year thereafter so long as the Authority continues to award grants on grants awarded under the Repayment Program and recommendations to improve the Repayment Program and increase the number of eligible mental health workers in high need areas. Appropriates \$50 million in recurring funds from the General Fund to the UNC Board of Governors to allocate to the Authority for the 2023-24 fiscal year to establish the Repayment Program. Permits the Authority to retain \$500,000 for administrative costs. Effective July 1, 2023, and applies to applications for the disbursement of funds beginning in the 2023-24 fiscal year.

Effective July 1, 2023.

Intro. by Batch, Garrett, Lowe.

APPROP, GS 115C, GS 116

[View summary](#)

**Education, Elementary and Secondary Education, Higher
Education, Government, Budget/Appropriations, State
Agencies, UNC System, Department of Public Instruction,**

S 568 (2023-2024) [CREATE DEPT. OF HOUSING AND COMM. DEVELOPMENT](#). Filed Apr 4 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT*.

Establishes the Department of Housing and Community Development (Department) as a cabinet-level department containing the Division of Operations, the Division of Community Development, the Division of Housing and the Policy and Legislative Office.

Amends GS 143B-2 making the Department subject to the Executive Organization Act of 1973. Amends GS 143B-6 making the Department a principal department.

Amends GS 126-5 listing the Department among those which the Governor may designate positions that are exempt from the NC Human Resources Act.

Enacts new Article 17, Department of Housing and Community Development in GS Chapter 143B, providing as follows.

Establishes the Department and sets out its structure. States the Department's mission as: (1) partner with communities in this State to develop economic potential of communities and residents; (2) provide training and certification for building officials; and (3) invest in housing and community development projects in this State to assist low- to moderate-income residents.

Establishes the Secretary of the Department of Housing and Community Development as the head of the Department.

Establishes the 9-member North Carolina Board of Housing and Community Development to advise the Secretary and to assist in the mission of the Department. Sets out membership appointment power, sets terms at two years and provides for filling vacancies.

Appropriates \$25 million in recurring funds for 2023-24 from the General Fund to the Department. Effective July 1, 2023.

Intro. by Batch, Garrett, Lowe.

[APPROP, GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing,
Government, Budget/Appropriations, State Agencies](#)

S 569 (2023-2024) [CREATE PUBLIC APP. FOR REPORTING THREATS](#). Filed Apr 4 2023, *AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP AN OPERATIONAL PLAN TO CREATE A DIGITAL APPLICATION TO REPORT THREATS AND TO APPROPRIATE FUNDS*.

Requires the Department of Public Safety (DPS), in consultation with Department of Information Technology (DIT) and the State Bureau of Investigation (SBI) to develop an operational plan for the creation of a digital public safety application that does, at minimum, each of the following: (1) allows any member of the public to quickly and anonymously report information regarding threats to public safety; (2) communicates with existing applications and initiatives designed to protect public safety; (3) communicates with State and local law enforcement agencies regarding reported threats deemed to be credible.

Appropriates \$100,000 from the General Fund to DPS in nonrecurring funds for the 2023-2024 fiscal year to be used to develop the plan. Requires DPS to report the plan to the specified NCGA committee by no later than April 1, 2024.

Effective July 1, 2023.

Intro. by Marcus.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and
Emergency Management, State Agencies, Department of
Information Technology, Department of Public Safety](#)

S 570 (2023-2024) [MODERNIZE REG/MASTER'S LEVEL PSYCHOLOGISTS](#). Filed Apr 4 2023, *AN ACT TO REDUCE THE UNNECESSARY REGULATORY BURDEN ON MASTER'S LEVEL PSYCHOLOGISTS AND TO INCREASE ACCESS TO QUALITY MENTAL HEALTH CARE SERVICES FOR NORTH CAROLINIANS*.

Amends the supervision provisions under the Psychology Practice Act (GS 90-270.139) as follows. Enacts GS 90-270.139(e1), which exempts certain licensed psychological associates from supervision if they have met the following requirements: (1) 3,000 hours of postgraduate degree experience in the delivery of psychological services under the supervision of one or more qualified licensed psychologists within a time period of at least 24 consecutive months and less than 60 consecutive months and (2) they submit an application for independent practice with proof of the required hours. Requires the NC Psychology Board (Board) to approve a licensed psychological associate to engage in independent practice if the licensed psychological associate meets those requirements. Makes conforming changes to GS 90-270-139(e) and deletes all of the specified activities for when a licensed psychological associate needs supervision set forth in GS 90-270-139(e)(3). Instead, provides that a licensed psychological associate needs supervision when they engage in psychology. Deletes Board's rulemaking authority to this section and to define further activities that require supervision. Amends GS 90-270.153 (pertaining to certification as a health services provider under the Psychology Practice Act) to allow for licensed psychological associates who do not need supervision under the requirements set forth above to be granted certification as a health services provider psychological associate upon submission of an application fee.

Amends the terms of office for members of the Board to allow for the Governor to appoint a new member to the Board within 60 days of any vacancy. Deletes provisions requiring the NC Psychological Association, in consultation with chairs of graduate departments of psychology in the State, to submit names of three candidates to the Governor for selection. Instead, requires Board to solicit applications for membership from all licensees of the Board. From the applications, the Board must submit the names of the applicants qualified to all licensees for a vote. From that vote, the Board will submit a list of the three highest vote getters to the Governor for selection. Makes conforming changes. Effective October 1, 2023, and applies to vacancies existing on or after that date.

Effective October 1, 2023.

Intro. by Burgin.

[GS 90](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health](#)

S 571 (2023-2024) [NC ACCOUNTABILITY/SAFETY NET](#). Filed Apr 4 2023, *AN ACT TO LIMIT LIABILITY FOR NONGOVERNMENTAL ORGANIZATIONS AND NONGOVERNMENTAL INDEPENDENT CONTRACTORS WORKING WITH AND FOR CERTAIN PUBLIC AGENCIES*.

Adds new GS 143-300.1B, which limits the liability of nongovernmental organizations that contract with the Department of Health and Human Services (DHHS) and any county or local agency affiliated with DHHS. Under the new section, the nongovernmental organization may not be held liable for injury or damage caused by DHHS, the county or local agency, or any officers, employees or other agents of those entities. Each party must bear the cost of defending itself against claims from their respective acts and omissions. The section prohibits a court from waiving or suspending any of its provisions, and makes void any contract provisions that would impose liability on the nongovernmental organizations in violation of the section.

Creates new GS 143-300.1C, which limits the liability of nongovernmental independent contractors that contract with DHHS or county or local agencies to the provisions of Article 31, GS Chapter 143. Specifies that independent contractors are functionally equivalent to DHHS to the extent they are performing health care services in the agency's stead, and claims against the independent contractor will be subject to monetary limits in GS 143-299.2 as equivalent to the agency, and must be filed in a court instead of the Industrial Commission. Requires the State to indemnify the independent contractor for any damages in excess of GS 143-299.2 for any damages incurred in an action alleging death or injury from an act or omission within the scope of the contractor's performance of health care services.

Requires a claim for indemnification, as well as any claim from a judgment against an independent contractor, to be filed with the Industrial Commission.

Effective and applicable to claims arising from acts or omissions occurring on or after October 1, 2023.

Intro. by Burgin.

GS 143

[View summary](#)

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

S 572 (2023-2024) [INCENTIVIZE SPACE SPIRITS](#). Filed Apr 4 2023, *AN ACT TO INCENTIVIZE NEW TECHNOLOGIES IN THE MANUFACTURING OF SPIRITOUS LIQUOR BY CAPPING THE TAX ON CERTAIN PURCHASES, INCLUDING SPIRITOUS LIQUOR THAT HAS BEEN AGED FOR AT LEAST TWELVE MONTHS IN ORBIT*.

Adds new subsection (a4) to GS 105-164.27A, which allows a purchaser of qualifying spiritous liquor, defined as a single container of spiritous liquor costing \$50,000 or more, to apply for a direct pay permit to avoid paying sales tax on the liquor purchase to the seller and instead pay use tax directly to the Secretary of Revenue. The maximum amount of use tax imposed is \$1,000, and the permit applies only to the purchase of qualifying spiritous liquor. Also provides an exemption in GS 105-113.81(f) for luxury liquor, defined as a single container of spiritous liquor costing \$50,000 or more.

Effective and applicable to purchases on or after January 1, 2024.

Intro. by Moffitt, Johnson.

GS 105

[View summary](#)

Alcoholic Beverage Control, Government, Tax

S 573 (2023-2024) [SCHOOL FINANCE OFFICER EMPLOYMENT TERMS](#). Filed Apr 4 2023, *AN ACT TO REQUIRE THE TERMS AND CONDITIONS OF SCHOOL FINANCE OFFICERS' EMPLOYMENT TO MIRROR THOSE OF ASSISTANT AND ASSOCIATE SUPERINTENDENTS*.

Amends GS 115C-435 (pertaining to school finance officers) to specify that the terms and conditions of employment for school finance officers must mirror the terms and conditions of employment for assistant superintendents and associate superintendents insofar as they are outlined in subsections (b) and (c) of GS 115C-278 (pertaining to terms of employment and contract requirements for the assistant and associate superintendent). Makes organizational, conforming changes to GS 115C-278 to divide the text there into subdivisions GS 115C-278(a)-(c). Applies to contracts entered into between school finance officers and local boards of education after the act becomes law.

Intro. by Hanig, Corbin, Woodard.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Employment and Retirement

S 574 (2023-2024) [AUTHORIZE NIL AGENCY CONTRACTS](#). Filed Apr 4 2023, *AN ACT TO AUTHORIZE NAME, IMAGE, AND LIKENESS AGENCY CONTRACTS AND TO EXEMPT CERTAIN NAME, IMAGE, AND LIKENESS CONTRACTS FROM PUBLIC RECORDS REQUIREMENTS*.

Amends the NC Uniform Athlete Agents Act (Article 9 of GS Chapter 78C) to provide for certain types of student-athlete contracts, as follows. Defines terms *name, image, and likeness (NIL) agency contract* (an agreement in which a student-athlete authorizes a person to negotiate or solicit an NIL contract on behalf of the student-athlete), *name, image, and likeness (NIL) contract* (a contract between a student-athlete and another entity in which the student-athlete receives consideration in exchange for use of the student-athlete's name, image, or likeness), and *professional-sports-services agency contract* (a agreement in which a student-athlete authorizes a person to negotiate or solicit a professional-sports-services contract on behalf of the student-athlete). Makes conforming changes to defined term *agency contract* to include an NIL contract. Removes the term *endorsement contract*.

Amends GS 78C-94(c) (pertaining to the required form of contracts) to specify that the conspicuous boldface warnings set forth in that subdivision only apply to professional-sports-services agency contracts (currently, applies to agency contracts). Requires an NIL agency contract to contain the specified boldfaced notice in close proximity to the signature.

Amends GS 78C-95 (pertaining to notice to educational institution) to specify that when a student-athlete enters into professional-sports-services agency contracts they must provide certain notice to certain personnel in their educational institution (currently, only applicable to agency contracts).

Amends GS 78C-98 to provide that if an athlete agent is currently or was within the prior two years employed or in a contractual relationship with an educational institution, the following applies: (1) the athlete agent cannot enter into an NIL agency contract with a student-athlete who is enrolled in that educational institution and (2) an NIL agency contract is void if, following entry into an NIL agency contract, a student-athlete enrolls in that educational institution. Makes conforming changes to GS 78C-88 (pertaining to athlete agents).

Applies to NIL contracts entered into on or after the date the act becomes law.

Amends GS 132-1.2 (confidential information under State public records law) to bar public agencies from disclosing records related to a student-athlete's name, image, and likeness contract with a third party that only came into the possession of an institution of higher education for the purpose of reviewing for compliance with federal law, State law, institutional policies, or policies of an intercollegiate sports association, organization, or conference. Effective when the act becomes law and applies retroactively to all records related to a student-athlete's name, image, and likeness contract ever in the possession of the institution of higher education.

Intro. by Galey, Craven, Jarvis.

GS 78C

[View summary](#)

Business and Commerce, Education, Higher Education

S 575 (2023-2024) **DOMESTIC VIOLENCE VICTIMS' SEPARATION WAIVER**. Filed Apr 4 2023, *AN ACT TO WAIVE THE REQUIRED ONE-YEAR PERIOD OF SEPARATION FOR ABSOLUTE DIVORCE WHEN A PERSON IN THE MARRIAGE IS A VICTIM OF DOMESTIC VIOLENCE*.

Amends GS 50-6 to allow the victim of domestic violence committed by the victim's spouse to seek a divorce without having to meet the required one-year separation period. Sets out information that must be included in the divorce application that substantiates the domestic violence. Makes organizational changes to the statute. Amends existing language to refer to separation of spouses.

Applies to actions commenced on or after the date that this act becomes law.

Intro. by Marcus, Sawyer, Chaudhuri.

GS 50

[View summary](#)

Courts/Judiciary, Civil, Family Law

S 577 (2023-2024) **DMV PROPOSED LEGISLATIVE CHANGES.-AB** Filed Apr 4 2023, *AN ACT TO MAKE VARIOUS CHANGES TO LAWS RELATED TO MOTOR VEHICLES, AS RECOMMENDED BY THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT*

OF TRANSPORTATION.

Section 1

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

Enacts new subsection (m1) to GS 20-7 authorizing the Commissioner to issue a mobile driver's license as a supplemental license upon request of a valid license holder. Specifies that a mobile driver's license should be treated as the legal equivalent of a valid license.

Effective July 1, 2025

Requires the Division of Motor Vehicles (DMV) of the North Carolina Department of Transportation (Department) to study and provide a plan for implementing mobile drivers' licenses and mobile special identification cards. Requires DMV to report its findings and recommendations to the NCGA, and specified NCGA committee chairs and division by no later than January 1, 2024.

Section 2

Amends GS 20-7 (pertaining to issuance and renewal of driver's licenses) by adding disclosure of an applicant's social security number to the State Board of Elections to verify voter registration data as an additional circumstance where the DMV is authorized to disclose a driver's license applicant's social security number.

Section 3

Amends GS 20-17.8 (a1) (ignition interlocks) to expand the scope of persons required to agree to ignition interlock restrictions to include persons whose licenses were revoked for felony or misdemeanor death by vehicle (except for a person engaged in impaired driving), felony serious injury by vehicle, aggravated felony serious injury by vehicle, aggravated felony death by vehicle, and repeat felony death by vehicle offender. Effective December 1, 2023, and applies to offenses committed on or after that date.

Section 4

Amends GS 20-42 to increase the acknowledgement of signature fees from \$2 to \$6 for one signature; \$3 to \$7 for two signatures, and \$4 to \$8 for three or more signatures. Effective July 1, 2023.

Section 5

Amends GS 20-84, pertaining to permanent registration plates, as follows. Deletes GS 20-84(b)(6) and (10) (listing motor vehicles owned by an incorporated emergency rescue squad and rural fire department, agency, or association, respectively). Incorporates those provisions into new GS 20-84(b)(21), which authorizes permanent registration plates for those same entities so long as the entity can establish that the entity (1) is listed in the Emergency Medical Services (EMS) System Plan in the county to which the entity provides services, (2) maintains an active provider number issued by the North Carolina Office of EMS, and (3) actively provides first responder services to a county, city, or town in the State. Authorizes the DMV to require proof eligibility of any vehicle that may apply for a permanent registration plate, with power to revoke any permanent plates issued to an entity that does not meet those requirements.

Section 6

Amends GS 20-79.2 (pertaining to transporter plates) as follows. Bars plates issued to a business or a dealer from being used to deliver truck cabs or bodies manufactured, constructed, or rebuilt in another state. Specifies that transporter plates can only be issued to a financial institution that has a recorded lien on a vehicle located in North Carolina. (Currently, just requires a recorded lien on a motor vehicle.) Specifies that plates issued to a dealer or repair facility to pick up and deliver a motor vehicle that is to be repaired cannot be used on a vehicle that is towing or transporting a vehicle that is authorized under these provisions to be operated with a transporter plate. Specifies that plates issued to a dealer or a business that contracts with a

dealer and has a business privilege license to take a motor vehicle either to or from a motor vehicle auction where the vehicle will be or was offered for sale cannot be used on a vehicle that is towing or transporting a vehicle that is authorized under these provisions to be operated with a transporter plate. Adds requirement that a vehicle must both be registered and titled (was, registered) in the State for transporter plates related to driving older vehicle to a parade or other public event; sets limit of number of plates issued to a person for that purpose to two.

Section 7

Requires the DMV, in consultation with the Department of Public Safety (DPS) to study the use of alternative materials for manufacturing the registration plates issued by the DMV. Requires the DMV to report its findings and any legislative recommendations to the NCGA, specified NCGA Committee chairs, and division by January 1, 2024.

Section 8

Amends GS 20-347 by excluding from the statute's odometer disclosure statement requirements, a vehicle that is model 20210 or older (was, a vehicle that is 10 years old or older) and a vehicle that is model year 2011 or newer that is transferred at least 20 years after January 1 of the calendar year corresponding to its designated model year.

Section 9

Amends GS 20-79.5 (pertaining to special registration plates for elected and appointed State government officials) to add provision authorizing multiple plates with the same numeric designation. Directs DMV on how to differentiate multiple plates.

Section 10

Amends GS 20-49.1 (pertaining to supplemental police authority of DMV officers) to increase the scope of when officers have the authority to enforce criminal laws to when they have probable cause to believe that a criminal act had immediately occurred, or is in the process of occurring, on physical property owned, operated, or maintained by either the North Carolina Department of Transportation or the DMV, or property operated as a license plate agency for and overseen and regulated by the DMV. (Currently, just probable cause to believe that a person has committed a criminal act in their presence.) Deletes language only authorizing police authority when, at the time of the violation they are engaged in the enforcement of laws otherwise within their jurisdiction. Adds additional emergency authorization for officers to exercise police power when an emergency exists and response by DMV personnel could not protect life and property. Specifies that when officers are providing temporary assistance at the request of the head of State or a local law enforcement agency/designee that the DMV officers will be considered an officer of the State (currently, not an officer, employee or agent of the State), but with the same law enforcement authority of the local law enforcement agency/designee asking for assistance. (Currently does not have that same enforcement authority.)

Section 11

Amends GS 20-79 (dealer license plates) to increase number of months a dealer must be licensed to obtain dealer plates from 12 months to 24 months. Makes conforming changes to table demonstrating permitted the maximum dealer plates based on number of vehicles sold in 24-month period. (Currently, looks at number of vehicles sold in 12-month period) Makes a conforming doubling of the amount of vehicles that must be sold for each category of maximum number of plates. Makes additional conforming changes.

Amends GS 20-87 (pertaining to passenger vehicle registration fees) to increase fees dealer plate fee for passenger vehicles to double the regular fee for each of the first 5 plates issued and the regular fee for any others beyond those initial five. (Currently, dealer fee is regular fee for first 5 plates and half of regular fee for any others.)

Amends GS 20-288 (pertaining to licensures for motor vehicle dealers) as follows. Amends subsection (a1) (licensure requirements for used motor vehicle dealers) as follows. Increases the course requirement to two 6-hour courses for renewals (currently, one 6-hour course) in a 12-month period. Extends licensure period from one year to two years. Permits corporate surety to give notice of nonrenewal of surety bond by certified mail or electronically if the license holder has consented to electronic delivery of notice. (Currently, must give notice by delivery or certified mail.)

Amends GS 20-289 to increase license fees for motor vehicle dealers/distributors/distributor branches and wholesalers (\$97.00 to \$115.00), manufacturers (\$210.25 to \$420.50 and to \$260 from \$130 for each factory branch), sales representatives (\$21.50

to \$25.00), and factory/distributor representatives (\$21.50 to \$43.00).

Effective October 1, 2023, and applies to plates issued, fees paid, or applications submitted on or after that date.

Section 12

Amends GS 20-79.1 (pertaining to use of temporary plates in lieu of dealer plates) as follows. Notwithstanding any provision of GS 20-111 to the contrary, makes violation of subdivision (2) (involving the improper display or possession of a registration card, certificate of title or registration number plate knowing it is invalid for specified reasons) or (6) (prohibiting giving, lending, selling, or obtaining a certificate of title in order to use it for any purpose other than the registration, sale, or other use in connection with the vehicle for which the certificate was issued) of GS 20-111 punishable as a Class I felony (currently class 3 misdemeanor and class 2 misdemeanors, respectively). Effective December 1, 2023, and applies to offenses committed on or after that date.

Section 13

Enacts new GS 20-79.1B (pertaining to print-on-demand temporary registration plates) as follows. Authorizes the DMV to develop and implement procedures necessary for issuance of temporary license plates by dealers to vehicle owners, using print-on-demand technology. Requires all dealers licensed on or after the effective date of the program to purchase and issue only print-on-demand temporary license plates, if DMV decides to implement such a program. Bars DMV from imposing a requirement relating to the minimum number of sets of temporary plates that must be purchased by a dealer pursuant to a print-on-demand temporary license plate program. Except as otherwise provided in this section, specifies that print-on-demand temporary license plates issued pursuant to GS 20-79.1B are subject to all conditions and limitations set forth Article 3 of GS Chapter 20 except as otherwise provided by the new section. Effective January 1, 2024. Authorizes DMV to adopt rules relating to print-on-demand temporary plates prior to effective date.

Section 14

Amends GS 143-341 (powers and duties related to general services) to increase scope of those powers and duties related to the central motor fleet to permit the DMV to own and maintain custody and control over a fleet of vehicles used in specialized investigative operations. Specifies the vehicles may be received, titled, transferred, or sold as deemed appropriate by the Commissioner.

Section 15

Amends GS 20-131 (pertaining to headlamp and auxiliary driving lamp requirements) to require that any headlamp installed on a vehicle after initial manufacture of the vehicle to comply with Federal Motor Vehicle Safety Standard (FMVSS) 108. Applies to offense committed on or after December 1, 2023.

Section 16

Updates GS 1-105 (service of process upon nonresident drivers of motor vehicles or personal representatives of deceased nonresident drivers) as follows. Makes terms gender neutral. Makes technical and clarifying changes. Increases service of process fee from \$10 to \$20. Enacts new subsection pertaining to service of process upon a defendant in a place not within the United States. Requires the Commissioner to require a deposit of \$100 and delivery by private carrier with proof of actual delivery to the defendant. Effective July 1, 2023, and applies to service upon nonresident drivers on and after that date.

Intro. by McInnis, Sawyer, Lazzara.

STUDY, GS 1, GS 20, GS 143

[View summary](#)

Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Public Safety, Department of Transportation

INDIVIDUALS WITH DISABILITIES, INCLUDING TARGETING EMPLOYMENT OF INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE 2017-2018 LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

Requires the Department of Health and Human Services (Department) to consult with the Office of State Human Resources in studying the development and implementation of a comprehensive, statewide program that establishes the State as a model employer in the employment of individuals with disabilities. Sets out program goals. Requires the Department to solicit the input of key stakeholders, including other relevant State agencies and organizations. Requires examining programs in other states and considering the feasibility of implementing a comprehensive program in North Carolina that contains at least one or more of the following components, including expanding on existing programs: (1) targeting hiring efforts through the Office of State Human Resources, including fast-track hiring policies that augment or streamline existing agency practices, trial work periods before offering permanent employment, preemployment certification through the Department for State employment, State agency internships, specific eligibility lists for hiring managers, and mandatory interview opportunities; (2) focusing on recruitment and outreach efforts to identify and attract skilled individuals with disabilities for State employment; (3) enhancing accessibility to State employment applications and the steps in the hiring process; (4) developing explicit, reasonable workplace accommodation guidelines that include managing costs and providing a request process that encourages individuals with disabilities to apply for State employment; (5) building upon existing State personnel training programs to encourage inclusion of individuals with disabilities in the workplace; (6) enabling data collection for evaluation and oversight of the State's employment practices for hiring individuals with disabilities; (7) increasing partnerships to develop work-based opportunities leading to State employment. Requires a report by December 1, 2023, to the specified NCGA committee on the study.

Intro. by Moffitt, Krawiec, Corbin.

STUDY

[View summary](#)

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

S 579 (2023-2024) **PREVENT HARM TO CHILDREN**. Filed Apr 4 2023, *AN ACT TO INCREASE THE PUNISHMENT FOR DISSEMINATING OBSCENITY.*

Amends GS 14-190.1, which makes it illegal to intentionally disseminate obscenity by increasing the penalty from a Class I felony to a Class H for violations committed knowingly in the presence of an individual under age 18. Applies to offenses committed on or after December 1, 2023.

Intro. by B. Newton, Britt, Daniel.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 581 (2023-2024) **COUNTY AND CITY SALES TAX EXEMPTION**. Filed Apr 4 2023, *AN ACT TO REPLACE THE ANNUAL SALES AND USE TAX REFUND FOR COUNTIES AND CITIES WITH A SALES AND USE TAX EXEMPTION.*

Amends GS 105-164.14 by removing cities and counties from those entities allowed an annual refund of sales tax paid on direct purchases of items.

Amends GS 105-164.13 by exempting from sales tax items that are subject to sales and use tax under GS 105-164.4 (other than electricity, telecommunications service, and ancillary service) if (1) the items are purchased by a county or a city for its own use and in accordance with GS 105-164.29A (tax exemption process), or are purchased by a contractor or subcontractor if the purchase is for use in the performance of a contract with the county or city; (2) the items are purchased pursuant to a valid purchase order issued by the county or city that contains the exemption number of the county or city and a description of the property purchased, or the items purchased are paid for with a county or city-issued check, electronic deposit, credit card,

procurement card, or credit account; and (3) for all purchases other than by a county- or city-issued purchase order, the county or city must provide to or have on file with the retailer the county's or city's exemption number.

Amends GS 105-164.29A by making conforming changes.

Effective October 1, 2023, and applies to sales occurring on or after that date. Specifies that the act does not prevent a county or city from requesting a refund for sales and use taxes for purchases made prior to July 1, 2023. Also specifies that the act does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended by this act before the effective date of its amendment, nor does it affect the right to any refund or credit of a tax that accrued under the amended statute before the effective date of its amendment.

Intro. by McInnis, Lazzara, Sawyer.

[GS 105](#)

[View summary](#)

[Government, Tax, Local Government](#)

S 583 (2023-2024) [HOUSING STUDIES-BARRIERS AND HOMELESSNESS](#). Filed Apr 4 2023, *AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NEEDS AND POTENTIAL SOLUTIONS TO MITIGATE HOUSING BARRIERS FOR INDIVIDUALS WITH CRIMINAL RECORDS AND TO MITIGATE HOMELESSNESS IN THE STATE*.

Requires the Legislative Research Commission (LRC) to study: (1) the issue of housing discrimination and housing barriers for individuals with criminal records and (2) the issue of homelessness. Sets out issues that must be considered as a part of each study. Requires reports on each study to the 2024 Regular Session of the 2023 General Assembly upon its convening.

Intro. by Waddell.

[STUDY](#)

[View summary](#)

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

S 585 (2023-2024) [CAP. GAINS FORGIVENESS FOR SALE OF REAL PROP.](#) Filed Apr 4 2023, *AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR INCOME RECEIVED FROM THE SALE OF REAL PROPERTY*.

Amends GS 105-153.5 to allow an income tax deduction of the amount the taxpayer received from the sale of real property in North Carolina to a nonprofit, when the taxpayer owned the property for at least two years before the sale. Sets out the maximum deduction amount, ranging from \$25,000 to \$50,000 depending on filing status. Effective for taxable years beginning on or after January 1, 2024.

Intro. by Batch, Garrett, Chaudhuri.

[GS 105](#)

[View summary](#)

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

S 586 (2023-2024) [FAIR MEDICAID ASC REIMBURSEMENTS](#). Filed Apr 4 2023, *AN ACT TO ENSURE FAIR REIMBURSEMENT UNDER THE MEDICAID PROGRAM OF SERVICES PERFORMED IN AN AMBULATORY SURGERY CENTER*.

Requires the Department of Health and Human Services, Division of Health Benefits (DHB), to set and adjust rates for new services provided by licensed ambulatory surgical centers so that these services are reimbursed at 95% of the Medicare Ambulatory Surgical Centers fee schedule in effect as of January 1 of each year. Requires the following of the new Healthcare Common Procedure Coding System (HCPCS) procedure code G0330, which was adopted by DHB as of January 1, 2023, and incorporated into the Medicaid Clinical Coverage Policy 4A: Dental Services: (1) DHB must not reimburse ambulatory surgical centers based solely on the length of the procedure and requires reimbursement, as of July 1, 2023, so that services

billed under procedure code G0330 are reimbursed at 95% of the total payment rate listed on the Medicare Part B Hospital Outpatient Prospective Payment System (OPPS), in effect as of January 1, 2023, and requires the rates to be updated annually starting January 1, 2024, so that services are reimbursed at 95% of the Medicare Part B OPPS payment rate, in effect as of January 1, for that procedure code and (2) all standard benefit plans and BH IDD tailored plans must be required to cover procedures billed under procedure code G0330.

Appropriates \$500,000 in recurring funds for each year of the 2023-25 biennium from the General Fund to DHB to implement the act. Specifies that the funds are to provide a State match for the \$950,000 in recurring federal funds and appropriates those federal funds to DHB to implement this act.

Intro. by Krawiec, Burgin, Corbin.

APPROP, UNCODIFIED

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Health and Human Services, Health and
Human Services, Health, Health Insurance, Social Services,
Public Assistance**

S 588 (2023-2024) **INCREASE JUROR PAY**. Filed Apr 4 2023, *AN ACT TO RAISE THE PAY RATE OF JURORS*.

Identical to [S 486](#), filed 4/3/23.

As title indicates, amends GS 7A-312(a) to increase the pay for jurors to the minimum wage under GS 95-25.3(a) for each hour of service as a juror, including a grand juror. Also grants jurors mileage at the same rate as state employees, where previously this mileage was only granted to jurors from out of the county where they were summoned.

Effective and applicable to jurors serving on or after December 1, 2023.

Intro. by Applewhite.

GS 7A

[View summary](#)

Courts/Judiciary, Court System

S 589 (2023-2024) **UNIFORMED CIVIL SERVICE ACT**. Filed Apr 4 2023, *AN ACT TO PROHIBIT DISCRIMINATION OR RETALIATION IN EMPLOYMENT FOR ABSENCES OF MEMBERS OF THE CIVIL AIR PATROL PERFORMING AUTHORIZED DUTIES AND TO APPROPRIATE FUNDS FOR EMPLOYER EDUCATION*.

Identical to [H 241](#), filed 3/1/23.

Enacts GS 143B-1033. Prohibits employers from discriminating against or taking any adverse employment actions against an employee based on either the employee's membership in the NC Wing-Air Patrol, or the employee's statutorily authorized absence, meaning one that is required to perform duties incident to a State approved mission or US Air Force authorized mission, is no longer than seven consecutive scheduled working days for the employee, and which does not exceed 14 scheduled working day absences for the employee in one calendar year. Permits the employer to require documentation of the employee's mission order. Specifies that the enactment does not require an employer to pay salary or wages to an employee during an authorized absence unless the employee chooses to use paid leave.

Appropriates \$5,000 from the General Fund to the Department of Labor for 2023-24 to create and provide educational materials to employers relating to new GS 143B-1033.

Effective July 1, 2023.

Intro. by Applewhite.

APPROP, GS 143B

[View summary](#)

**Employment and Retirement, Government,
Budget/Appropriations, Military and Veteran's Affairs**

S 592 (2023-2024) **CENTRAL PARK SCHOOL ADMISSIONS PILOT PROGRAM**. Filed Apr 4 2023, *AN ACT TO ALLOW THE CENTRAL PARK SCHOOL FOR CHILDREN IN DURHAM COUNTY TO CONDUCT A WEIGHTED ADMISSIONS LOTTERY PILOT PROGRAM*.

Identical to [S 280](#), filed 3/9/23.

Authorizes the charter school Central Park School for Children (School) in Durham County to establish a pilot program to expand the school's weighted lottery admission procedures for a period of up to four years. Requires the pilot program to preserve existing weighting factors but authorizes the program to add additional weighting factors that serve the goal of assisting educationally or economically disadvantaged students, including walk zones. Specifies that the pilot program will not be considered a material change of the School's charter. Requires the School to submit an annual report for each year of the pilot to the Charter Schools Advisory Board with the following information: (1) a description of the pilot weighted lottery procedures, including the weighted factors considered and how those factors further the goals of the weighted lottery system; (2) how the pilot procedure differed from the existing procedure; and (3) the number of students that were admitted under the pilot program that would not have otherwise been admitted. Applies to weighted lotteries conducted for the admissions process for the 2024-25 school year.

Intro. by Woodard.

[STUDY, Durham](#)

[View summary](#)

Education, Elementary and Secondary Education

S 593 (2023-2024) **AMEND LEVEL 2 LICENSE RESTRICTIONS**. Filed Apr 4 2023, *AN ACT TO AMEND THE PASSENGER RESTRICTIONS APPLICABLE TO LEVEL 2 LIMITED PROVISIONAL LICENSE HOLDERS*.

Amends GS 20-11(e)(4) (pertaining to level 2 restrictions related to limited learner's permits and provisional driver's licenses given to individuals under age 18) as follows. Allows for one additional passenger under 21 years of age to be in driver's vehicle when the passenger is a student being driven directly to or from school. Effective August 1, 2023.

Intro. by Woodard.

[GS 20](#)

[View summary](#)

Courts/Judiciary, Motor Vehicle

S 594 (2023-2024) **MICKEY'S FREEDOM RESTORATION ACT**. Filed Apr 4 2023, *AN ACT TO CREATE A STUDY COMMISSION TO DEVELOP A PLAN TO ATTRACT FAMILY AMUSEMENT PARKS TO THE STATE*.

Includes whereas clauses.

Establishes the 11-member North Carolina Family Amusement Park Study Commission (Commission). Sets out membership appointment authority, and provides for filling vacancies. Provides for Commission expense allowances, designation of co-chairs, meeting requirements, staffing, and exercise of powers. Charges the Commission with developing strategies to encourage family amusement parks to locate in tier one counties, by: (1) studying and consulting major family parks outside of the State to determine interest among family parks to expand into the State, the priorities of family parks when considering an expansion into a new state, and any other information relevant to developing a plan that recruits family parks and encourages them to expand into the State and (2) coordinating with relevant State and local governments and agencies to develop strategic economic incentive plans designed to encourage family parks to expand or relocate into the State.

Appropriates \$750,000 for 2023-24 from the General Fund to the Commission for its work under this act.

Effective July 1, 2023.

Intro. by Garrett, Chaudhuri, Batch.

[APPROP, STUDY](#)

[View summary](#)

**Development, Land Use and Housing, Community and
Economic Development, Government, Budget/Appropriations**

LOCAL/HOUSE BILLS

H 419 (2023-2024) [YOUNGSVILLE CHARTER REVISED & CONSOLIDATED](#). Filed Mar 20 2023, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF YOUNGSVILLE*.

House committee substitute to the 1st edition makes the following changes to the revised Youngsville (town) charter.

Amends Section 3.4 to only refer to a mayor's absence (was, absence or disability) during which the mayor pro tempore must perform mayoral duties. Amends Section 3.5 to require vacancies for elective offices to be filled pursuant to GS 160A-63 (was, general state law). Amends Section 3.6 to no longer provide for participation in board meetings by the mayor or commissioners via simultaneous communication to count for voting or forming a quorum.

Amends Section 4.1 to require determining election results using the nonpartisan plurality method pursuant to GS 163-292 (was, general state law). Eliminates Section 4.2, authorizing special elections and referenda.

Amends Section 6.2, eliminating the authority granted and procedures specified for assessments for transportation improvements. Instead authorizes the town to levy special assessments for street or sidewalk improvements in accordance with the procedures of Article 10, GS Chapter 160A, without receiving a petition as required by GS 160A-217(a). Eliminates Section 6.4, which authorizes the town to issue revenue bonds payable from special assessments pursuant to GS Article 10, GS Chapter 160A. Eliminates Section 6.8, which authorizes the town to adopt an ordinance making it unlawful to create, maintain, or operate a junkyard within the town or the town's extraterritorial planning jurisdiction.

Makes technical and clarifying changes throughout.

Intro. by Winslow.

[UNCODIFIED, Franklin](#)

[View summary](#)

H 452 (2023-2024) [FRANKLIN CO. BD. OF ED. ELECT. METHOD. \(NEW\)](#) Filed Mar 22 2023, *AN ACT TO CHANGE THE DATE AND METHOD OF ELECTION OF THE FRANKLIN COUNTY BOARD OF EDUCATION TO A NONPARTISAN PRIMARY AND ELECTION METHOD*.

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

Revises and adds to the proposed changes to Section 6(b) of SL 1993-341, as amended. Now requires the members of the Permanent Franklin County Board of Education be elected at the general election for county offices with results determined according to the nonpartisan primary method under GS 163-294 (was, by election and runoff method under GS 163-293). Requires the primary to be held on the date provided by GS 163-1 for county partisan primaries. Eliminates language relating to runoff elections. Directs conducting the election in accordance with applicable provisions of GS Chapters 115C and 163. Requires members of the permanent Board of Education to serve until their successors are elected and qualified. Changes the application of the act to now apply to elections held on or after the date the act becomes law (previously, applied beginning with elections held in 2024). Makes conforming changes to the act's titles.

Intro. by Winslow.

[Franklin](#)

ACTIONS ON BILLS

PUBLIC BILLS

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 149: REMOTE & VIRTUAL CHARTER/CC PRES CONFIRMATION. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 172: SAMANTHA ROSE DAVIS ACT. (NEW)

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 181: UNCLAIMED PROPERTY DIVISION CHANGES.-AB

House: Reptd Fav

House: Re-ref Com On State Government

H 253: PREVENT STUDENTS FROM HARM ACT.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 259: 2023 APPROPRIATIONS ACT.

House: Reptd Fav

House: Re-ref Com On Pensions and Retirement

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2023

H 273: LOCAL GOVERNMENT BUDGET PROCESS. (NEW)

House: Reptd Fav Com Substitute

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

H 287: EDUCATE PATIENTS ABOUT OPIOID ANTAGONISTS.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 304: ELECTION DAY INTEGRITY ACT.

House: Reptd Fav Com Substitute

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

H 323: RETAIN ADULT DEVEL. VOC. REHAB. PROGRAMS. (NEW)

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 344: QRIS/STAR RATING SYSTEM REFORM.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 354: CHIROPRACTIC ASSISTANT MODIFICATIONS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 361: REQUIRE REPORT/PROTECTION & ADVOCACY AGENCY.

House: Reptd Fav Com Substitute

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 364: 2023 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

H 384: CITIES/USE OF PERPETUAL CARE TRUST FUNDS.

House: Reptd Fav

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

H 392: REFLEXOLOGIST RIGHT TO WORK ACT.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 415: STOP ADDICTION FRAUD ETHICS ACT OF 2023.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary 1

H 422: UNFAIR REAL ESTATE AGREEMENTS ACT.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 445: CLOSED SESSION REMINDER.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary 1

H 451: NONCONTIGUOUS EXPANSION OF MSDS.

House: Reptd Fav

House: Re-ref Com On Finance

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

House: Withdrawn From Com

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

H 539: NORTH CAROLINA FARMERS APPRECIATION DAY.

House: Withdrawn From Com

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

H 547: FUNDS TO WINSTON-SALEM FOR FIRE TRUCK.

House: Passed 1st Reading

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

H 548: FUNDS FOR NATIONAL BLACK THEATRE FESTIVAL.

House: Passed 1st Reading

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

H 549: CIVILIAN TRAFFIC INVESTIGATORS.

House: Passed 1st Reading

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

H 550: SPRING LAKE WATER/SEWER INFRASTRUCTURE FUNDS.

House: Passed 1st Reading

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

H 551: LANDLORD-TENANT AND HOA CHANGES.

House: Passed 1st Reading

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

H 552: 2023 MOMNIBUS ACT.

House: Passed 1st Reading

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

H 553: EXPAND TANF ELIGIBILITY TO INCLUDE PREGNANCY.

House: Passed 1st Reading

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

H 554: CRITICAL CAPITAL INFRASTRUCTURE FUNDS/NCICUS.

House: Passed 1st Reading

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

H 555: FUNDS/SPRING LAKE PARKS.

House: Passed 1st Reading

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

H 556: TRANSLITERATOR LICENSING BOARD MODS.

House: Passed 1st Reading

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

H 557: NORTH CAROLINA HEALING ARTS COMMISSION.

House: Passed 1st Reading

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

H 558: FUNDS FOR MATERNAL HEALTH PROGRAMS.

House: Passed 1st Reading

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

H 559: FUNDS FOR CROSSNORE COMMUNITIES FOR CHILDREN.

House: Passed 1st Reading

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

H 560: DIAGNOSTIC IMAGING PARITY.

House: Passed 1st Reading

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

H 562: ADDRESSING THE WORKFORCE HOUSING CRISIS.

House: Filed

H 563: REGULATE CANNABINOID PRODUCTS & AMP KRATOM.

House: Filed

H 564: SECOND AMENDMENT FINANCIAL PRIVACY ACT.

House: Filed

H 565: STUDY VOLUNTEER FIREFIGHTER INCENTIVES.

House: Filed

H 566: GIVE STATE RETIREES 2% COLA/FUNDS.

House: Filed

H 567: HEALTH CARE FREEDOM ACT.

House: Filed

H 568: NCSSM PLATE.

House: Filed

H 569: WORKING FAMILIES ACT.

House: Filed

H 570: EFFICIENT GOVERNMENT BUILDINGS & SAVINGS ACT.

House: Filed

H 571: DISCHARGE OF HIGHLY TREATED WASTEWATER.

House: Filed

S 20: SAFE SURRENDER INFANTS/SAFE SLEEP PROG. FUNDS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 44: MOBILE BEAUTY SALONS.

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary

S 80: STATE AUDITOR DISCLOSURE AND DISCOVERY ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 123: CERTIFICATE OF INSURANCE CLARIFICATIONS.

House: Passed 1st Reading

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

S 134: CURB UNDERWRITING ABUSES.

House: Passed 1st Reading

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

S 211: PERMIT MULTISTATE WATER/SEWER AUTHORITY.

House: Passed 1st Reading

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

S 228: PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 246: PROPERTY OWNERS PROTECTION ACT.

House: Passed 1st Reading

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

S 267: RESTRICT DETACHED CATALYTIC PURCHASES.

House: Passed 1st Reading

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

S 282: VETERINARY MEDICAL BOARD INSPECTIONS.

Senate: Reptd Fav

S 303: STRENGTHEN JUVENILE LAWS.

Senate: Reptd Fav Com Substitute

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

S 308: GUARDIANSHIP RIGHTS.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

S 326: FIREFIGHTER CANCER INS. & WC PROGRAM FUNDING.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Judiciary

S 327: GSC ASSIGNMENTS OF ERROR.

Senate: Reptd Fav

S 331: CONSUMER FINANCE ACT AMENDMENTS.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

S 340: EXPAND PROB. OFFICER/SHERIFF AUTHORITY.

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

S 341: SAFETY AND EMISSION INSPECTION MODIFICATIONS.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Transportation

S 462: HIGHWAY SAFETY OMNIBUS/ADDIT'L MAGISTRATES.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate
Senate: Withdrawn From Com
Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 463: HOME INSPECTORS LIC. MODS./CODE QUAL. BD.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 464: RAISE THE AGE OF SEXUAL CONSENT.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 465: CITIES/REMOVE & AMP DISPOSE OF ABANDONED VESSELS.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate
Senate: Withdrawn From Com
Senate: Re-ref to Agriculture, Energy, and Environment. If fav, re-ref to Rules and Operations of the Senate

S 466: HELP MEDICALLY COMPLEX CHILDREN.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate
Senate: Withdrawn From Com
Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 467: 2023 MOMNIBUS ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 468: EXPAND TANF ELIGIBILITY TO INCLUDE PREGNANCY.

Senate: Passed 1st Reading

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

S 469: FUNDS FOR MATERNAL HEALTH PROGRAMS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 470: NC CONSUMER FIREWORKS SAFETY ACT.

Senate: Passed 1st Reading

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

S 471: AUTOMATIC VOTER REGISTRATION.

Senate: Passed 1st Reading

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

S 472: SCHOOL PSYCHOLOGIST OMNIBUS.

Senate: Passed 1st Reading

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

S 473: PCP AND PSYCHIATRISTS FORGIVABLE LOAN PROGRAM.

Senate: Passed 1st Reading

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

S 474: ACCESSING MIDWIVES ACT.

Senate: Passed 1st Reading

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

S 475: ADDITIONAL CITY OF PINETOPS POLICE OFFICER.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 476: CIV. PRO./AMEND RULE 53 REFERENCE PROCEDURE.

Senate: Passed 1st Reading

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

S 477: AMEND BUS. CORP. ACT/BUS. OPP. DISCLOSURES.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 478: SMALL BUSINESS CAPITAL IMPROVEMENT ACCOUNT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 479: HIRE NC WORKERS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 480: CAREGIVER TAX CREDIT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 481: SMALL BUSINESS INVESTMENT GRANT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 482: BUSINESS INCOME TAX DEDUCTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 483: \$17/HOUR MIN. PAY FOR NONCERT. SCH. EMPLOYEES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 484: MAKE ELECTION DAY A STATE HOLIDAY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 485: STUDY CELL PHONE USE IN SCHOOL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 486: INCREASE JUROR PAY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 487: TERM LIMITS FOR CONGRESS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 488: DIRECT CARE WORK WAGE INCREASES/INNOV. WAIVER.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 489: ABC TECHNICAL/CLARIFYING CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 490: ABC OMNIBUS 2023.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 491: NC GENETIC COUNSELORS WORKFORCE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 492: MODIFY PROVISIONS AFFECTING ADULT CORRECTION.-AB

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 493: GO BIG FOR EARLY CHILDHOOD EDUCATION.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 494: BAN APPLICANT SALARY HISTORY.

Senate: Passed 1st Reading

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

S 495: 2023 SAFE DRINKING WATER ACT.

Senate: Passed 1st Reading

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

S 496: INCREASE SAFE USE OF FIREARMS.

Senate: Passed 1st Reading

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

S 497: REENACT EARNED INCOME TAX CREDIT.

Senate: Passed 1st Reading

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

S 498: FIREARM SAFETY PRODUCTS SALES TAX EXEMPTION.

Senate: Passed 1st Reading

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

S 499: SCHOOL CALENDAR COMPLIANCE ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 500: COMMUNITY SAFETY ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 501: YOUNG FAMILIES INVESTMENT ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 502: MODIFY SCHOOL PERFORMANCE GRADES.

Senate: Passed 1st Reading

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

S 503: MENSTRUAL PRODUCTS SALES TAX EXEMPTION.

Senate: Passed 1st Reading

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

S 504: SCHOOL PSYCHOLOGIST OMNIBUS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 505: DONOR DISCLOSURE.

Senate: Passed 1st Reading

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

S 506: CONVENTION OF THE STATES.

Senate: Passed 1st Reading

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

S 507: CHIROPRACTIC PRECEPTORSHIP MODIFICATIONS.

Senate: Passed 1st Reading

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

S 508: REMOVE VOLUNTEER CHAPLAIN ED. REQUIREMENTS.

Senate: Passed 1st Reading

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

S 509: VICTIMS' RIGHT TO KNOW/RAPE KIT STATUS.

Senate: Passed 1st Reading

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

S 510: THE CONSTITUENT BILL OF RIGHTS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 511: STRAY HOLD REGULATORY CHANGES.

Senate: Passed 1st Reading

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

S 512: GREATER ACCOUNTABILITY FOR BOARDS/COMMISSIONS.

Senate: Passed 1st Reading

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

Senate: Reptd Fav

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

S 513: NORTH CAROLINA HEALING ARTS COMMISSION.

Senate: Passed 1st Reading

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

S 514: MH LIC. FAIR PRACTICE & EFFICIENCY STANDARDS.

Senate: Passed 1st Reading

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

S 515: WATER AND SEWER AFFORDABILITY ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 516: IMPROVE CANCER CLUSTER INVESTIGATIONS IN NC.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 517: STRUCTURAL FILL REMEDIATION PILOT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 518: FUNDS FOR PROFESSIONAL WRESTLING MUSEUM STUDY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 519: PROPERTY TAX INCREASE LIMITATION FOR ZONING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 520: COMMUTER RAIL STUDY/PIEDMONT TRIAD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 521: REGULATE CANNABINOID PRODUCTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 522: INFORMATIONAL LITERACY BILL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 523: INCREASE SCHOOL PSYCHOLOGISTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 524: SCHOOL SOCIAL WORKERS/MASTER'S PAY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 525: CONSUMER PRIVACY ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 526: ABC LAW CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 527: SAFETY REQUIREMENTS FOR ELEVATORS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 528: PUBLIC SCHOOL HVAC REPLACEMENTS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 529: VARIOUS CHANGES TO NONPROFIT CORPORATIONS ACT.

Senate: Passed 1st Reading

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

S 530: RESEARCH AND DEVELOPMENT ATTRACTION ACT.

Senate: Passed 1st Reading

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

S 531: DAM SAFETY LAW CLARIFICATION.

Senate: Passed 1st Reading

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

S 532: RESTORE STATE EMP/TEACHER RETIREE MED BENEFIT.

Senate: Passed 1st Reading

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

S 533: MODIFY INSURANCE COVERAGE/DEFICIT PROVISIONS.

Senate: Passed 1st Reading

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

S 534: PROTECT WHISTLEBLOWER LEOS FROM RETALIATION.

Senate: Filed

S 535: PENSION FORFEITURE DUE TO CRIMINAL ACTS.

Senate: Filed

S 536: UI/ESTABLISH SHORT-TIME COMPENSATION IN NC.

Senate: Filed

S 537: THE PATRICK MAYS HAZARD LIGHT SAFETY ACT.

Senate: Filed

S 538: LAW ENFORCEMENT INVESTMENT ACT.

Senate: Filed

S 539: SMALL BUSINESS TRUTH IN FINANCING.

Senate: Filed

S 540: RIGHT TO USE CONTRACEPTION.

Senate: Filed

S 541: FUNDS FOR ASHEVILLE MUNICIPAL GOLF COURSE.

Senate: Filed

S 542: DOL/OMNIBUS LAW CHANGES AGENCY BILL.

Senate: Filed

S 543: REMOVE BARRIERS TO LABOR ORGANIZING.

Senate: Filed

S 544: REVISE BUFFER ZONE LIMITATIONS/ELECTIONS.

Senate: Filed

S 545: INSPECTION RIGHTS REGARDING SUBSIDIARIES.

Senate: Filed

S 546: INFO. RIGHTS OF ESTATE/DEATH OF LLC MEMBER.

Senate: Filed

S 547: AMEND DANGEROUS DOG STATUTES.

Senate: Filed

S 548: UNIFORM PARTITION OF HEIRS PROPERTY ACT.

Senate: Filed

S 549: DEVELOPMENT MORATORIA/TRANSPORTATION PROJECTS.

Senate: Filed

S 550: DIRECT SUPPORT PROFESSIONAL WAGE INCREASES.

Senate: Filed

S 551: EXTEND COVID SAFE HARBOR.

Senate: Filed

S 552: MODIFICATIONS TO NOTARY PUBLIC ACT.

Senate: Filed

S 553: LANDLORD-TENANT AND HOA CHANGES.

Senate: Filed

S 554: STUDY & ABATE OCULAR MELANOMA/FUNDS.

Senate: Filed

S 555: WORKING FAMILIES ACT.

Senate: Filed

S 556: END MENSTRUAL POVERTY ACT.

Senate: Filed

S 557: EXPAND MINORITY BUSINESS CAPACITY.

Senate: Filed

S 558: BROADBAND AFFORDABILITY PROG./DIGITAL EQUITY.

Senate: Filed

S 559: TREASURY ADMINISTRATIVE CHANGES ACT.-AB

Senate: Filed

S 560: MEDICAL TREATMENT FOR MINORS ACT.

Senate: Filed

S 561: REPEAL COLLECTIVE BARGAINING BAN.

Senate: Filed

S 562: RELOCATE TELECOM UTIL FOR HWY CONSTRUCTION.

Senate: Filed

S 563: ELDERLY PROP. TAX APPRECIATION EXCLUSION.

Senate: Filed

S 564: IMPROPER ACTION CLAIMS ACT.

Senate: Filed

S 565: REMOVING BARRIERS TO JOBS AND HOUSING.

Senate: Filed

S 566: INCREASE INNOVATIONS WAIVER SLOTS.

Senate: Filed

S 567: SCHOOL MENTAL HEALTH SUPPORT ACT.

Senate: Filed

S 568: CREATE DEPT. OF HOUSING AND COMM. DEVELOPMENT.

Senate: Filed

S 569: CREATE PUBLIC APP. FOR REPORTING THREATS.

Senate: Filed

S 570: MODERNIZE REG/MASTER'S LEVEL PSYCHOLOGISTS.

Senate: Filed

S 571: NC ACCOUNTABILITY/SAFETY NET.

Senate: Filed

S 572: INCENTIVIZE SPACE SPIRITS.

Senate: Filed

S 573: SCHOOL FINANCE OFFICER EMPLOYMENT TERMS.

Senate: Filed

S 574: AUTHORIZE NIL AGENCY CONTRACTS.

Senate: Filed

S 575: DOMESTIC VIOLENCE VICTIMS' SEPARATION WAIVER.

Senate: Filed

S 576: SHARED PARENTING.

Senate: Filed

S 577: DMV PROPOSED LEGISLATIVE CHANGES.-AB

Senate: Filed

S 578: STATE AS A MODEL EMPLOYER/IDD.

Senate: Filed

S 579: PREVENT HARM TO CHILDREN.

Senate: Filed

S 580: DOT LEGISLATIVE CHANGES.-AB

Senate: Filed

S 581: COUNTY AND CITY SALES TAX EXEMPTION.

Senate: Filed

S 582: NORTH CAROLINA FARM ACT OF 2023.

Senate: Filed

S 583: HOUSING STUDIES-BARRIERS AND HOMELESSNESS.

Senate: Filed

S 584: BREAST CANCER DIAGNOSTIC IMAGING REFORM.

Senate: Filed

S 585: CAP. GAINS FORGIVENESS FOR SALE OF REAL PROP.

Senate: Filed

S 586: FAIR MEDICAID ASC REIMBURSEMENTS.

Senate: Filed

S 587: END LIMITS ON LABOR ORGANIZING.

Senate: Filed

S 588: INCREASE JUROR PAY.

Senate: Filed

S 589: UNIFORMED CIVIL SERVICE ACT.

Senate: Filed

S 590: ANGEL INVESTMENT FOR SMALL BUSINESSES.

Senate: Filed

S 591: ESTABLISH EYELASH ART TECHNICIAN.

Senate: Filed

S 592: CENTRAL PARK SCHOOL ADMISSIONS PILOT PROGRAM.

Senate: Filed

S 593: AMEND LEVEL 2 LICENSE RESTRICTIONS.

Senate: Filed

S 594: MICKEY'S FREEDOM RESTORATION ACT.

Senate: Filed

LOCAL BILLS

H 419: YOUNGSVILLE CHARTER REVISED & CONSOLIDATED.

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

House: Serial Referral To Finance Added

House: Serial Referral To Rules, Calendar, and Operations of the House Added

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 438: FRANKLIN/GRANVILLE RECOGNIZED COMMON BOUNDARY.

House: Reptd Fav

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

H 449: CERTAIN BEACH TOWNS/NAVIGABLE WATERS.

House: Reptd Fav

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 452: FRANKLIN CO. BD. OF ED. ELECT. METHOD. (NEW)

House: Reptd Fav Com Substitute

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

S 200: ONSLOW COUNTY PUBLIC NOTICES. (NEW)

House: Passed 1st Reading

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

S 265: INCREASE MUNICIPAL ELECTION PARTICIPATION ACT.

Senate: Reptd Fav

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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