

The Daily Bulletin: 2023-04-05

PUBLIC/HOUSE BILLS

H 155 (2023-2024) [CERT. OF TITLES FOR CERTAIN OFF-ROAD VEH. \(NEW\)](#) Filed Feb 21 2023, *AN ACT TO AUTHORIZE CERTIFICATES OF TITLE FOR CERTAIN OFF-ROAD VEHICLES.*

House committee substitute to the 1st edition makes the following changes. Makes conforming changes to the act's long and short titles.

Amends new GS 20-53.6, by adding the following defined terms: *all-terrain vehicle*, *off-road motorcycle*, *owner*, and *utility vehicle*.

Requires titling under the statute and adds off-road motorcycle as one of the vehicles that must be titled under GS 20-53.6 and limits the requirement to all-terrain vehicles, off-road motorcycles, and utility vehicles purchased new from a retailer on or after January 1, 2024. Allows optional application for a certificate of title for those vehicles not required to be titled. Adds to the items that must be included on the application for a certificate of title to also require a statement of the owner's title and of all liens on the vehicle, including the names and addresses of all lienholders in the order of their priority, and the date and nature of each lien. Specifies that the provisions of GS Chapter 20 that relate to perfection of a security interest do not apply to vehicles for which a certificate of title is issued by the DMV under GS 20-53.6.

Specifies that owners of an all-terrain vehicle, off-road motorcycle, or utility vehicle not required to title that vehicle under this section may apply to the DMV for a certificate of title under this section, provided that the owner is able to provide reasonable evidence of ownership satisfactory to the DMV.

Intro. by Sossamon, N. Jackson, Biggs.

GS 20

[View summary](#)

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

H 192 (2023-2024) [2023 WILDLIFE RESOURCES CHANGES.-AB](#) Filed Feb 23 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE WILDLIFE LAWS, AS REQUESTED BY THE WILDLIFE RESOURCES COMMISSION.*

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

Amends GS 113-291.2 (pertaining to seasons and bag limits on wild animals and birds, including animals and birds taken in bag, and possession and transportation of wildlife after taking), as follows. Authorizes the Executive Director of the Wildlife Resources Commission, upon receiving notification of a new confirmed Chronic Wasting Disease-positive cervid (i.e., members of the deer family) in North Carolina, to issue proclamations to establish and modify Primary Surveillance Area(s) and Secondary Surveillance Area(s) and mandatory sampling requirements for cervids taken in those areas by licensed and license-exempt individuals or those otherwise permitted by the Commission. Requires that each proclamation must state the hour and date upon which it becomes effective and must be issued at least 48 hours prior to the effective date and time. Specifies that permanent file of the text of all proclamations must be maintained in the office of the Executive Director. Specifies that certified copies of proclamations are entitled to judicial notice in any civil or criminal proceeding.

Intro. by Adams, Clampitt.

GS 75A, GS 100, GS 113, GS 143

[View summary](#)

**Animals, Development, Land Use and Housing, Building and
Construction, Government, Public Safety and Emergency**

H 193 (2023-2024) **VARIOUS COURT CHANGES 2023.-AB** Filed Feb 23 2023, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE, AS RECOMMENDED BY THE ADMINISTRATIVE OFFICE OF THE COURTS.*

House committee substitute to the 1st edition makes the following changes. Repeals GS 7A-174 (requiring magistrates to be bonded before taking office). Makes technical changes to GS 7A-11 (pertaining to the Clerk of the Supreme Court) and makes language gender neutral.

Amends GS 120C-500(d) (pertaining to liaison personnel under State lobbying law) to exempt the Conference of District Attorneys from the number of liaison personnel to lobby for legislative action designated by the Chief Justice of the Supreme Court so long as the Conference of District Attorneys complies with the designation provisions of GS 120C-500. (Currently, just Office of Administrative Hearings exempt from the number of liaison personnel.) Makes technical changes. Effective July 1, 2023.

Makes technical changes to GS 7A-147(c) (pertaining to training for specialized judgeships) and GS 58-72-50 (approval, acknowledgment, and custody of bonds).

Amends GS 7A-146 (pertaining to the administrative authority and duties of chief district judge) as follows. Amends power to assign magistrates to a temporary duty outside of their county during exigent circumstances to provide that chief district judge may, in writing, delegate the authority to assign those magistrates to an appointed chief magistrate. A chief magistrate with authority delegated under this subdivision must make monthly reports to the chief district judge of the times and places actually served by each magistrate. Permits the chief district judge to delegate, in writing, the authority to designate magistrates who appoint counsel and accept waivers of counsel to an appointed chief magistrate. Allows chief district judge to delegate to an appointed chief magistrate to make preliminary investigations into written complaints against magistrates and to make a written report of their preliminary findings to the chief district judge. However, the delegation cannot authorize the chief magistrate to make written findings of misconduct or take any disciplinary action. Makes conforming changes to allow for the new delegations of authority.

Amends GS 132-1.10 (pertaining to social security numbers and other personal identifying information in public records) as follows. Makes technical change. Allows a register of deeds, clerk of court, or the Administrative Office of the Courts to remove from images or copies of publicly accessible official records any information that is confidential under applicable law, in addition identifying and financial information already listed. Specifies that no requirements under GS 75-65 (pertaining to protection from security breaches) will be imposed on a register of deeds or clerk of court or their agent for any action related to the enforcement of GS132-1.10, in addition to exemption from liability. (Currently just exempts from liability.) Makes language gender neutral.

Makes technical changes to effective date. Makes other technical and organizational changes.

Intro. by Stevens.

GS 1, GS 7A, GS 9, GS 58, GS 162

[View summary](#)

Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Court System, Administrative Office of the Courts, Government, Local Government

H 223 (2023-2024) **OSHR/VARIOUS SHRA CHANGES.** Filed Feb 28 2023, *AN ACT MAKING VARIOUS CHANGES TO THE STATE HUMAN RESOURCES ACT AND RELATED LAW.*

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

Makes technical changes in Sections 7, 8, and 9 of the act.

[View summary](#)

**Employment and Retirement, Government, State Agencies,
Department of Health and Human Services, State
Government, State Personnel, Local Government**

H 259 (2023-2024) [2023 APPROPRIATIONS ACT](#). Filed Mar 2 2023, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

House amendments to the 2nd edition make the following changes.

Part VI. Community College System

Section 6.2 High-Cost Workforce Programs Start-Up Funds

Amendment #22 amends the allocation of funds from the Fund for High-Cost Workforce Programs to require at least (was, up to) \$10 million be used for nursing programs.

Part VII. Public Instruction

Section 7.21 Math Interventions and Fourth and Fifth Grade Class Size Requirements Section

Amendment #12 amends the section's effective date to specify that Sections 7.21(d) (amendments to GS 115C-301 pertaining to allocation of teachers and class size), 7.21(e) (amendments to GS 115C-47(10) pertaining to class size), 7.21(f) (amendments to GS 115C-276(k) pertaining to organization reports), and 7.21(g) (amendments to GS 115C-301 pertaining to class size flexibility) become effective beginning with the 2024-25 school year.

Section 7.25 Schools for the Deaf/Administration

Amendment #22 removes the entire section from the act.

Section 7.34

Amendment #22 changes the name of the section to Online Classroom Safety and Anti-bullying and making the following changes. Reduces the amount allocated to support contracting with third parties for technology to mitigate cyberbullying, monitor student internet activity, monitor classroom education devices, and assist with suicide prevention from \$10 million to \$7.5 million and reduces the amounts of the listed allocations.

Requires that of the funds appropriated by this act from the ARPA Temporary Savings Fund to the Department of Public Instruction for the 2023-25 fiscal biennium, \$2.5 million be allocated in each year of the fiscal biennium for the Department to contract with a third party to provide public school units the services to prevent, detect, and remediate advanced malware threats.

Section 7.36 School Safety Grants

Amendment #22 expands upon purposes of the School Safety Grants Program to also include providing grants in each fiscal year of the 2023-25 biennium to subsidize the School Resource Office Grants Program.

Amendment #22 adds the following. Allows the Superintendent, if they receive applications for grants for school resource officers under GS 115C-105.60 in excess of the amount of funding appropriated for school resource officer grants in the 2023-25 fiscal biennium, to use the funds appropriated in this act from the ARPA Temporary Savings Fund to the Department of Public Instruction for the grants provided for in this Program to cover the unmet need for school resource officer grants.

Section 7.44 Teacher Apprentice Grant Program

Amendment #22 adds a new section providing as follows.

Requires the Department of Public Instruction to establish a Teacher Apprentice Grant Program for the 2023-25 fiscal biennium to provide grants to local school administrative units to award funds for (1) the cost of tuition at an educator

preparation program for eligible teacher apprentices and (2) salary supplements for teacher apprentices who become teachers in the unit. Defines *eligible teacher apprentice* as an eligible high school graduate who: is employed as a teacher apprentice in an elementary school in the same local school administrative unit where he or she graduated high school, is enrolled part-time or full-time in a recognized educator preparation program pursuing coursework toward a college degree that will result in teacher licensure, and qualifies as a resident for tuition purposes under the criteria in GS 116-143.1 and in accordance with the coordinated and centralized residency determination process administered by the Authority. Awards are for up to \$4,600 per academic semester, per eligible teacher apprentice, up to four academic years to defray the costs of tuition and fees for part-time or full-time coursework taken while employed in the local school administrative unit as an eligible teacher apprentice. Gives any eligible teacher apprentice who becomes a licensed teacher and accepts employment in the same local school administrative unit a salary supplement each month during his or her first four years of employment as a teacher, without a break in service, in the amount specified. Sets out requirements for applications and for which are to be given priority. Sets out additional criteria governing the funds, including requiring local boards of education receiving grants under the Program to make efforts to promote the Program to high school students enrolled in a Career and College Promise Transfer Pathway Program. Requires DPI to establish criteria for program eligibility and sets out standards for the criteria. Requires local boards of education participating in the Program to enter into a memorandum of understanding with the institution of higher education in which the award recipient is enrolled and sets out required content for the MOU. Requires DPI to report annually to the specified NCGA committee and sets out report requirements. Increases funds appropriated in this act to DPI by \$5 million for each year of the 2023-25 biennium to establish the program.

Section 7.46 Teacher Assistant Completion Grants Program

Amendment #22 adds that funds appropriated in this act for the 2023-25 biennium to DPI for these grants is decreased by \$5 million in each year of the 2023-25 biennium.

Section 7.49 Study for Students with Extraordinary Costs/Report

Amendment #3 requires the Department of Public Instruction (DPI) to study the following ten matters: (1) a method of improving options for children with disabilities with intensive needs that require private placement in an Approved School (a private school with approved nonpublic education programs providing special education for students with intensive needs) consistent with the student's individualized education program (IEP); (2) a method of determining that placement in an Approved School is the means that most appropriately suits the child's individual needs; (3) extraordinary costs incurred by the public school unit by student placement in Approved Schools; (4) methods of creating a network of Approved Schools into which a child with disabilities with intensive needs may be placed consistent with the student's IEP; (5) a method of prioritizing dispersal of funds to public school units to assist with the cost associated with enrolling in an Approved School in early grades to incentivize public school units to enroll students in the Approved Schools at the earliest appropriate age; (6) recommendations on the proportion of a student's extraordinary cost to be paid from local, State, and federal sources, respectively, and to identify existing funds at each level that may be available for the purposes studied pursuant to this section; (7) a method to monitor overidentification of children with disabilities with intensive needs; (8) methods to allow for Medicaid reimbursement for additional services, such as transportation, and expanding the eligible age range to receive reimbursement for services; (9) an estimated range of costs associated with implementing the studied methods; and (10) the advisability of one or more pilot programs with one or more Approved Schools. Requires DPI to report the results of the study and any legislative recommendations to the specified NCGA committees by October 15, 2023.

Section 7.49(a) Montessori Teaching License

Amendment #6 amends GS 115C-270.20(a) (pertaining to licensure requirements for teacher classes) by authorizing a Montessori license. Specifies that a Montessori license only allows the holder of the license to teach in a school that uses Montessori instruction as its primary method of instruction. Sets forth credentialing, education, and examination criteria. Specifies that holders of a Montessori license cannot teach in non-Montessori schools unless they hold another State license for public school teachers. Applies to applicants for Montessori licenses on or after the date the act becomes law.

Part VIII. The University of North Carolina System

Section 8.8 Educational Opportunities Pilot Program

Amendment #2 makes the following changes. Requires that NC State University develop the College of Educational Opportunities Pilot Program (Program) in the 2023-24 fiscal year and operate it for each year of the 2023-25 biennium while NC Central University must adapt and operate the Program that was developed by NC State for use in the 2024-25 fiscal year.

Amends the allocation of funds appropriated to the UNC Board of Governors for this Program, so that \$3 million is allocated for 2023-24 to NC State to develop and operate the Program, \$3 million is allocated to NC State University in 2024-25 to operate the Program and \$3 million is allocated to NC Central University to adapt and operate the Program in 2024-25. Makes additional clarifying changes. Adds that the funds allocated to UNC-Institutional Program from the ARPA Temporary Savings Fund must be increased by \$3 million for 2024-25, and that the funds appropriated in this act for the 2024-25 fiscal year to the UNC Board of Governors for education and workforce training opportunities for individuals with disabilities must be increased by \$3 million in requirements and receipts.

Part IX-M. DHHS Block Grants

Section 9M.1 Child Care and Development Fund Block Grant

Amendment #22 decreases the amount referred to as being appropriated in the Child Care and Development Block Grant to the Division of Child Development and Early Education to establish new positions.

Part IX-E. Health Benefits

Section 9E.17 Expedited Medicaid Preferred Drug List Review for Drugs Treating Serious Mental Illness

Amendment #1 amends proposed GS 108A-54.2 as follows. Amends the statute's title. Requires that the Department of Health and Human Services (DHHS) provide coverage of a new prescription medication approved by the FDA that becomes available to the public if the manufacturer is enrolled in the Medicaid Drug Rebate Program and the medication is approved for the treatment of any of the seven already listed conditions. Provides that if the new prescription medication approved for the treatment of any of the listed conditions is not manufactured by a manufacturer enrolled in the Medicaid Drug Rebate program, then no later than the end of next calendar quarter following the date the medication became available to the public, DHHS must consult with the Physician's Advisory Group and submit a proposed policy to the Preferred Drug List (PDL) Policy Review Panel on the inclusion of the new medication as either a preferred or non-preferred drug on the PDL (was, DHHS must, within 90 days of the date a new prescription medication approved by the FDA becomes available to the public, consult with the Physician's Advisory Group and submit a proposed policy to the Preferred Drug List (PDL) Policy Review Panel on the inclusion of the new medication on the Medicaid PDL if the medication is approved for treatment of any of the seven listed conditions).

Also amends the section to require that the PDL Policy Review Panel meet no less than once a quarter.

Part XI. Commerce

Section 11.7 Golden Leaf Shell Building Pilot Program

Amendment #22 requires the funding to be distributed to Columbus County instead of Cabarrus County.

Section 11.8 NASCAR Economic Impact Study

Amendment #22 adds that funds appropriated in this act from the projected interest in the State Fiscal Recovery Reserve to the Department for the NASCAR All Star Race may be used by the grant recipient to cover expenditures made prior to the effective date of this act. Amends the section's title.

Part XII. Environmental Quality

Section 12.2A Redirect Certain Prior Water and Wastewater Funds

Amendment #15 redirects the funds allocated to the Town of Norwood for the expansion of Lake Tillery by Section 12.13(a) (3a) of SL 2021-180 to Montgomery County instead for a construction grant for a water or wastewater project. Exempts the redirected funds from the \$3 million limit set forth on project grants in GS 159G-36(c)(3)(water infrastructure loan and grant limits). Specifies that excess funds will revert to the Drinking Water Reserve and the Wastewater Reserve and may be used for other eligible projects pertaining to water and wastewater as set forth in GS 159G-34(a)(2)-(3a) and GS 159G-33(a)(2)-(3a).

Part XIV. Natural and Cultural Resources

Section 14.5 Saluda Grade Rail Corridor

Amendment #2 adds the following content.

Sets out NCGA findings related to the Saluda Grade Railroad and sets out the purpose of this section. Requires that funds appropriated in this act from the projected interest in the State Fiscal Recovery Reserve be increased by \$6 million in 2023-24 and \$11 million for 2024-25 with the funds transferred to the Department of Natural and Cultural Resources (DNCR) for grants to Polk County Community Foundation, Inc. (Foundation) to be allocated in the specified amounts for: (1) the purchase of the *Saluda Grade rail corridor* (as defined) in Henderson and Polk counties and related transaction costs; (2) an assessment, conceptual design, and preliminary engineering of the Saluda Grade rail corridor; and (3) study of the potential of a multi-purpose active tourism rail and hiking corridor from Hendersonville to either Tryon or Saluda, and if it is determined to be feasible, develop a plan and preliminary engineering.

Requires the Foundation to establish a Saluda Grade Conservation Council to oversee the disbursement of these funds. Sets out membership requirements. Requires the Foundation to disburse funds at the direction of the Council and provides that the Council ceases to exist when the funds in this section have been disbursed and all required documentation has been submitted.

Requires DNCR to enter into a Memorandum of Understanding (MOU) with the Foundation by September 1, 2023, on the long-term ownership structure, management, and improvement of the rail corridor. Sets out requirements for the MOU.

Requires the Foundation to make an interim report by March 1, 2024, and a final report by October 1, 2025, to DNCR and the specified NCGA committee and division on the acquisitions of and improvements to the rail corridor. Authorizes DNCR to add the trail on the rail corridor to the State Parks System as a State trail, once the acquisition is complete. Sets out additional responsibilities related to the trail.

Section 14.6 The Great Trails Fund

Amendment #22 changes the name of the Fund to the Great Trails State Program. Makes a conforming change to the section's title.

Part XVIII. Justice

Section 18.1A Create Legislative Study Committee on the State Crime Lab

Amendment #13 establishes a Joint Legislative Study Committee on the State Crime Lab (Committee). Directs the Committee to study and propose possible administrative and organizational locations for the State Crime Lab within the state government. Specifies that the Committee will consist of 12 members. Specifies that six members will be appointed by the Speaker of the House of Representatives, with five of those appointees to be members of the General Assembly, two of whom must be members of the minority party. Directs that one Speaker appointee must be a member of the public that either currently serves or at one time served in a scientific or managerial role at the State Crime Lab. Specifies that the other six members will be appointed by the President Pro Tempore of the Senate with the same composition requirements. Specifies that the Speaker and President Pro Tempore will each appoint a Committee co-chair. Sets quorum rules and procedure for appointment of vacancies. Authorizes per diem, subsistence, and travel allowance for Committee members.

Authorizes the Committee to meet in the State Legislative Building or Legislative Office Building. Provides for professional staff to assist the work of the Committee. Authorizes the Committee to exercise all powers authorized to investigating committees under GS 120-19 and GS 120-19.1 through GS 120-19.4, including the power to request documents, data, and information from officers, agents, agencies, and departments of the State and to subpoena documents.

In developing its proposals for administrative and organizational locations for the State Crime Lab, directs the Committee to evaluate at minimum whether the location would best serve the interests of justice (including the lab's ability to remain an unbiased and objective source of evidentiary analysis) and whether the location will provide the most operational efficiencies. Permits the Committee to report its interim findings and recommendations in an interim report to the General Assembly by April 1, 2024, with a final report due by December 1, 2024. Specifies that the Committee terminates at the earlier of the submission of its final report or December 1, 2024.

Part XIX-F. Department of Public Safety Administration

Section 19F.2 Allocation of Grant Funds to Various Sheriffs' Offices and Police Departments

Amendment #22 reduces the amount of the funds that are to be allocated to (1) sheriffs' offices in counties with a population of fewer than 230,000 and (2) municipal police departments employing 1 to 79 full-time sworn law enforcement officers from \$10 million to \$9 million.

Part XXIV. Budget and Management--Special Appropriations

Section 24.4 OSBM/Funds for Carolinas AGC Programs

Amendment #22 by changing the recipient of the appropriation from Carolinas AGC, Inc., to GAGC Foundation, Inc.

Section 24.5 OSBM/Grant to North Carolina Sports Legacy Foundation

Amendment #22 adds the following. Requires that the funds budgeted for a directed grant to the North Carolina Sports Legacy Foundation in the amount of \$22 million for 2023-24 and \$8 million for 2024-25 be used for a directed grant to the North Carolina Sports Legacy Foundation for capital needs.

Part XXX. Insurance

Section 30.4 DOI/Continue Firefighters' Health Benefits Pilot Program

Amendment #8 amends Section 30.4A(a) concerning the Firefighters' Health Benefits Pilot Program (SL 2021-180) as follows. Effective January 1, 2024, requires the Department of Insurance to begin administering the pilot program instead of purchasing private insurance for that purpose. Authorizes the Department to use up to 5% of the funds appropriated for the pilot program in this act for the purpose of hiring additional staff to aid in administering the pilot program in-house and conducting an independent audit of the pilot program. Requires that the results of the independent audit to be submitted to the General Assembly and the Governor by no later than July 1, 2025, along with the report required by Section 30.4A(f).

Amendment #22 provides that if a firefighter, during the five years of service in a North Carolina fire department, experiences a lapse of no more than six months, the firefighter remains eligible for benefits under the pilot program.

Part XXXVI. Treasurer

Section 36.1 Public Safety Employees' Death Benefits Section

Amendment #9 divides Section 36.1 into two sections, 36.1(a) and new 36.1(b). New Section 36.1(b) provides that the changes to GS 143-166.2 are effective retroactively to January 1, 2022, and apply to applicable deaths of covered persons occurring on or after that date when the covered person was en route to, engaged in, or returning from duty at the time of the covered person's death.

Part XLI. Transportation

Section 41.16 Transportation Committee Report Corrections

Amendment #22 adds the following. Notwithstanding the Committee Report: (1) funds for the construction of the "US 1 Pedestrian Bridge" must be transferred from the projected interest accrued to the State Fiscal Recovery Reserve and must be used for the construction of a pedestrian bridge over Highway 1 at the Rockingham Speedway in Richmond County; (2) funds for the construction of the "Pedestrian Bridge US 49" must be transferred from the projected interest accrued to the State Fiscal Recovery Reserve; and (3) funds for the construction of the "Interchange Wilkes County" must be transferred from the projected interest accrued to the State Fiscal Recovery Reserve.

Intro. by Lambeth, Saine, Arp.

[APPROP, STUDY, GS 7A, GS 14, GS 15A, GS 18C, GS 20, GS 24, GS 45, GS 48, GS 53, GS 58, GS 66, GS 70, GS 74F, GS 85B, GS 90, GS 93, GS 93E, GS 105, GS 106, GS 108A, GS 110, GS 113, GS 115C, GS 115D, GS 116, GS 116B, GS 120, GS 121, GS 122A, GS 122C, GS 126, GS 130A, GS 131D, GS 131E, GS 132, GS 135, GS 136, GS 138, GS 143, GS 143A, GS 143B, GS 143C, GS 146, GS 147, GS 148, GS 150B, GS 153A, GS 159G, GS 160A, GS 160D, GS 163, GS 164](#)

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[Agriculture, Animals, Business and Commerce, Insurance, Occupational Licensing, Courts/Judiciary, Motor Vehicle, Court System, Administrative Office of the Courts, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Development, Land Use and Housing,](#)

Building and Construction, Community and Economic Development, Property and Housing, Education, Preschool, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Aquaculture and Fisheries, Energy, Environment/Natural Resources, Government, Budget/Appropriations, Elections, General Assembly, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Adult Correction, Department of Agriculture and Consumer Services, Department of Commerce, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Insurance, Department of Justice, Department of Military & Veterans Affairs, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of State Treasurer, Department of Transportation, Office of Information Technology Services, Office of State Auditor, Office of State Budget and Management, Office of State Controller, State Board of Education, State Board of Elections, State Government, Executive, State Personnel, Tax, Local Government, Native Americans, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance, Lottery and Gaming, Military and Veteran's Affairs, Nonprofits, Public Enterprises and Utilities, Transportation

H 327 (2023-2024) **CLARIFY ANIMAL WELFARE STATUTES**. Filed Mar 9 2023, *AN ACT TO AMEND THE DANGEROUS DOG LAWS TO PERMIT A CASE-BY-CASE DETERMINATION AS TO WHETHER A DOG TRAINED FOR DOG FIGHTING IS DANGEROUS*.

House committee substitute to the 1st edition makes the following changes. Revises defined term dangerous dog to also mean any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting, that an animal shelter receiving the dog determines to be unsuitable for adoption after an assessment performed pursuant to GS 19A-32.1(b) (shelter holding periods) or GS 19A-70(d), in addition to other prong of definition. (Prior version deleted reference to dog fighting in definition of dangerous dog.) Makes organizational changes. Amends GS 19A-70(d) (pertaining to care of animals subjected to illegal treatment) to require an animal shelter to determine whether a forfeited animal is suitable for adoption and whether adoption can be arranged for the animal. (Currently, just permits shelters to make adoption assessment.)

Intro. by Harrison, Humphrey, Setzer, Dahle.

GS 67

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Animals, Government, Local Government

H 374 (2023-2024) **RAFFLES/INCREASE REAL ESTATE PRIZE LIMIT**. Filed Mar 14 2023, *AN ACT TO INCREASE THE TOTAL APPRAISED VALUE OF ALL REAL ESTATE PRIZES OFFERED DURING A CALENDAR YEAR BY A NONPROFIT ORGANIZATION AS PART OF A RAFFLE*.

House committee substitute to the 1st edition makes the following changes. Amends GS 14-309.15(g) (pertaining to real property offered as raffle prizes) to specify that any nonprofit organization offering real property as a prize in a raffle must

provide the property free from all liens, provide an owner affidavit and indemnity agreement, and provide a title commitment for the property and must make that commitment available for inspection upon request.

Intro. by Potts, Strickland, Winslow, Zenger.

[GS 14](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Lottery and Gaming, Nonprofits](#)

H 378 (2023-2024) [FIREFIGHTERS CRIMINAL HISTORY RECORD CHECKS](#). Filed Mar 15 2023, *AN ACT PROVIDING THAT CRIMINAL HISTORY RECORD CHECKS MAY BE CONDUCTED FOR FIREFIGHTER APPLICANTS WHO HAVE BEEN RESIDENTS OF THE STATE FOR FIVE OR MORE YEARS CONDUCTED THROUGH THE DEPARTMENT OF PUBLIC SAFETY, THE CLERK OF SUPERIOR COURT, OR A THIRD-PARTY VENDOR, AND PROVIDING THAT THE FIREFIGHTER CRIMINAL HISTORY RECORD CHECK REQUIREMENT SHALL NOT APPLY TO JUNIOR MEMBER APPLICANTS UNDER EIGHTEEN.*

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

Amends GS 143B-943 (pertaining to criminal history record checks of applicants and current members of fire departments and emergency medical services) to add defined term *state resident*. Defines *requesting entity* as a designated local Homeland Security director, a local fire chief of a rated fire department, a fire chief of a nonprofit volunteer fire department, a county fire marshal, or an emergency services director, or, if there is no designated local Homeland Security director, local fire chief of a rated fire department, fire chief of a nonprofit volunteer fire department, county fire marshal, or emergency services director, a local law enforcement agency. Expands the scope of entities to whom the NC Department of Public Safety (Department) may provide an applicant's or members criminal history to the requesting entities. (Currently, statute lists a designated local Homeland Security director, a local fire chief of a rated fire department, a county fire marshal, an emergency services director, or if there is no designated local Homeland Security director, local fire chief of a rated fire department, county fire marshal, or emergency services director as requesting entities to which the Department may provide a criminal history). Deletes provisions authorizing the Department to charge a fee for the criminal history and for the requesting entity to pass that fee on to the applicant or current member and instead sets out new provisions governing charging fees. Authorizes a statewide criminal history record check without fingerprints may be conducted in lieu of the criminal history record check set forth above for a state resident. Authorizes the requesting entity to request the statewide criminal history record check without fingerprints through either of the following ways: (1) a statewide criminal history record check without fingerprints may be conducted by the Department by forwarding the name and other required information to the State Bureau of Investigation (SBI) for search. Specifies information that requesting entity must provide to the Department, including signed consent form for the search itself and the use of the information; or (2) a statewide criminal history record check of the State resident's name may be conducted by a third-party vendor. The requesting entity and State resident must provide the third-party vendor's required documentation to complete the request. Exempts applicants for junior membership and current junior members of a fire department under the age of 18 from the criminal history record check. Makes conforming changes.

Makes conforming changes to the act's long title.

Intro. by Blackwell, Saine, Torbett, Riddell.

[GS 143B, GS 153A, GS 160A](#)

[View summary](#)

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

H 408 (2023-2024) [CHARLOTTE FC SPECIAL REGISTRATION PLATE](#). Filed Mar 16 2023, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A CHARLOTTE FOOTBALL CLUB SPECIAL REGISTRATION PLATE.*

House committee substitute to the 1st edition amends GS 20-79.4 to remove the requirement the plate be issued according to GS 20-81.12 (collegiate insignia and special plates).

Intro. by Bradford.

GS 20

[View summary](#)

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

H 427 (2023-2024) [HONOR WOMEN VETERANS PLATE/WOMEN VETERANS DAY. \(NEW\)](#) Filed Mar 21 2023, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN HONOR WOMEN VETERANS SPECIAL REGISTRATION PLATE AND TO ADOPT THE TWELFTH DAY OF JUNE OF EACH YEAR AS WOMEN VETERANS DAY IN NORTH CAROLINA.*

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

Amends GS 20-79.4, by renaming the proposed plate as Honor Women Veterans and removes the requirement that the plate be issued according to GS 20-81.12.

Enacts new GS 103-17 designating the twelfth day of June as Women Veterans Day.

Makes conforming changes. Amends the acts titles.

Intro. by Majeed, Logan, Cunningham, Goodwin.

GS 20, GS 103

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Government, Cultural
Resources and Museums, State Agencies, Department of
Transportation**

H 469 (2023-2024) [FORECLOSURES/EXTEND SERVICEMEMBER PROTECTIONS.](#) Filed Mar 23 2023, *AN ACT TO SUPPLEMENT AND EXTEND PROTECTIONS FROM REAL ESTATE FORECLOSURES FOR OUR SERVICEMEMBERS.*

House committee substitute to the 1st edition makes the following change. Changes effective date from when the act becomes law to December 1, 2023.

Intro. by Cleveland, Shepard.

GS 45

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Military and Veteran's Affairs**

H 539 (2023-2024) [NORTH CAROLINA FARMERS APPRECIATION DAY.](#) Filed Mar 30 2023, *AN ACT DESIGNATING THE SECOND WEDNESDAY IN NOVEMBER OF EACH YEAR AS NORTH CAROLINA FARMERS APPRECIATION DAY.*

House committee substitute to the 1st edition makes the following changes. Amends the organizations with which the North Carolina Grange must consult in developing the plan to promote the North Carolina Farmers Appreciation Day by adding the North Carolina Cooperative Extension, including representatives from NC State University Extension, NC A&T State University Extension and University of Mt. Olive School of Agricultural and Biological Sciences, and by changing the North Carolan Farm Bureau to the North Carolina Farm Bureau Federation, Inc.

Deletes the appropriation to the Department of Agriculture and Consumer Services that was to to be transferred to the North Carolina Grange.

Intro. by Dixon, McNeely, Bell, D. Hall.

GS 103

[View summary](#)

Agriculture, Government, Cultural Resources and Museums

Part I

Enacts new GS Chapter 18D, pertaining to the regulation of hemp-derived cannabinoid products. Defines *Alcohol Law Enforcement (ALE) Division, batch, commission, hemp-derived cannabinoid, manufacture, proof of age, and serving.*

Enacts GS 18D-101, which sets forth seven offenses involving the manufacture, sale, and distribution of hemp-derived cannabinoid products, as follows: (1) to knowingly sell or distribute a product containing a hemp-derived cannabinoid to a person who is under 21 years of age; (2) to knowingly purchase a product containing a hemp-derived cannabinoid on behalf of a person who is under 21 years of age; (3) to knowingly persuade, entice, send, or assist a person who is under 21 years of age to purchase, acquire, receive, or attempt to purchase a product containing a hemp-derived cannabinoid; (4) to knowingly distribute samples of products containing a hemp-derived cannabinoid in or on a public street, sidewalk, or park; (5) to knowingly sell or distribute a product containing a hemp-derived cannabinoid without having first obtained proof of age from the purchaser or recipient; (6) to engage in the business of manufacturing, distributing, or selling a product containing a hemp-derived cannabinoid without a valid license issued in accordance with new GS Chapter 18D; (7) to knowingly manufacture, distribute, or sell a product containing a hemp-derived cannabinoid that has a delta-9 tetrahydrocannabinol concentration of more than 0.3% on a dry weight basis. Exempts certain law enforcement efforts from GS 18D-101. Classifies violation of GS 18D-101 as a Class A misdemeanor and provides for civil penalties ranging from \$5,000 to \$15,000 and for suspension of hemp manufacturing licenses for initial and subsequent violations. Directs that the proceeds of any civil penalty be remitted to the Civil Penalty and Forfeiture Fund. Permits for forfeiture of products manufactured, distributed, or sold in violation of the offenses listed as 6 and 7 above.

Enacts GS 18D-102, which makes it a Class A1 misdemeanor for any person under 21 years of age to either (1) knowingly purchase, possess, or accept receipt of a product containing a hemp-derived cannabinoid or (2) knowingly present purported proof of age that is false, fraudulent, or not actually that person's for the purpose of purchasing or receiving a product containing a hemp-derived cannabinoid. Exempts certain law enforcement activities.

Authorizes the ALE Division to enforce the provisions of GS Chapter 18D. Requires ALE to conduct random, unannounced inspections at locations where products containing a hemp-derived cannabinoid are sold or distributed to ensure compliance with the provisions of GS Chapter 18D. Beginning January 1, 2025, requires the ALE Division to submit an annual report to the General Assembly describing in detail the ALE Division's enforcement efforts under GS Chapter 18D and to post the report on its website.

Enacts GS 18D-104, which establishes a license for manufacturing, distribution, and selling of hemp-derived cannabinoid products, as follows. Requires a person or entity that is in the business of manufacturing, distributing, or selling products containing a hemp-derived cannabinoid in the state to obtain a license from the North Carolina Alcoholic Beverage Control Commission (Commission) authorizing the person or entity to engage in that business prior to the commencement of business or by January 1, 2024, whichever is later. Sets forth three requirements for licensure, including submission of information requested by the Commission, a fee, and consent to reasonable inspection and sampling by the ALE Division of the person's inventory of products containing a hemp-derived cannabinoid. Specifies that a person is ineligible to obtain a license if they are serving sentence for, or for ten years following the completion of a sentence for a drug-related felony offense in any state or federal jurisdiction. Specifies the license is valid for one year and may be renewed annually. Sets forth schedule of annual renewal fees. Authorizes the Commission to adopt, amend, and repeal rules to carry out the provisions of Chapter 18D. Specifies that the rules are effective when adopted and filed pursuant to the APA. Directs that the revenue collected from fees established under GS 18D-104 must be remitted to the Department of Revenue (Department) on a monthly basis. The Department must then remit that revenue to the ALE Division to be used to cover costs incurred by the ALE Division from enforcing the provisions of GS Chapter 18D.

Enacts GS 18D-105, which sets forth requirements for testing of products containing a hemp-derived cannabinoid by laboratories approved by the Commission. Enacts GS 18D-106 which sets forth packing requirements, advertising restrictions, and ingestible product restrictions for products containing hemp-derived cannabinoids. Enacts GS 18D-107, which sets forth nine things that continue to not be prohibited by GS Chapter 18D.

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

Part II

Repeals the definition of hemp contained in GS 90-87(13a). Makes conforming changes to GS 18B-500(b)(1) (pertaining to ALE agents) to account for new licenses under GS 18D-104 and GS 90-94.1 (exemption for use or possession of hemp extract) to refer to new GS Chapter 18D. Effective October 1, 2023.

Part III

Appropriates \$2 million from the General Fund to the Department of Public Safety (DPS) in nonrecurring funds for the 2023-2024 fiscal year to hire 20 full-time equivalent positions in the ALE division to serve as Special Agents and assist in implementing the provisions of the act. Appropriates \$500,000 from the General Fund to the Department of Public Safety in nonrecurring funds for the 2023-2024 fiscal year to be used for any other costs incurred by the Commission and the ALE Division in implementing the provisions of the act. Effective July 1, 2023.

Part IV

Amends GS 106-121 (definitions provisions of the food, drugs, and cosmetics article) to add defined terms *kratom processor* and *kratom product*. Requires the Board of Agriculture (Board) to adopt rules for regulating kratom processors to ensure the quality and safety of kratom products sold in the state. Requires the Board to address registration, noncompliance, and adverse events reports in its rules. Specifies that the manufacture, sale, delivery, holding, or offering for sale of any kratom products that are falsely certified as compliant with the certification rules adopted by the Board under are be prohibited and also be subject to GS 106-123 (injunction restraining violations) and GS 106-125 (adulterated or misbranded article).

Part V

Contains severability clause.

Sets act's effective date as July 1, 2023, except as otherwise provided. Specifies that prosecutions for offenses committed before the effective date of the act are not abated or affected by the act, and the statutes that would be applicable but for the act remain applicable to those prosecutions.

Requires the Board, DPS, and the ABC Commission to adopt rule that are consistent with the provision of the act. Allows for the APA procedures pertaining to temporary rules to apply to the rules adopted or amended by those entities.

Intro. by McNeely, Sasser, Cotham, Fontenot.

[APPROP, GS 18B, GS 18D, GS 90, GS 106](#)

[View summary](#)

[Agriculture, Alcoholic Beverage Control, Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, APA/Rule Making, Budget/Appropriations, State Agencies, Department of Public Safety](#)

H 565 (2023-2024) [STUDY VOLUNTEER FIREFIGHTER INCENTIVES](#). Filed Apr 4 2023, *AN ACT DIRECTING THE DEPARTMENT OF INSURANCE AND THE LABOR AND ECONOMIC ANALYSIS DIVISION OF THE DEPARTMENT OF COMMERCE TO STUDY WAYS TO INCENTIVIZE THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS.*

Directs the Department of Insurance, working with the Labor and Economic Analysis Division of the Department of Commerce, to research and submit a report on ways to support recruitment and retention of volunteer firefighters. Directs the findings to be submitted to the General Assembly's 2024 Regular Session.

Intro. by Lowery, Brisson, Crutchfield, Strickland.

[STUDY](#)

H 569 (2023-2024) [WORKING FAMILIES ACT](#). Filed Apr 4 2023, *AN ACT REDUCING PARENT COPAYMENTS FOR SUBSIDIZED CHILD CARE, REENACTING THE CHILD TAX CREDIT, INCREASING THE STATE MINIMUM WAGE TO FIFTEEN DOLLARS PER HOUR ON LABOR DAY 2023 AND GRANTING LOCAL GOVERNMENTS FLEXIBILITY TO SET A HIGHER LOCAL MINIMUM WAGE, INCREASING THE INCOME ELIGIBILITY LIMIT FOR THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER, CREATING A HOMEBUYERS' ASSISTANCE PROGRAM WITH THE NORTH CAROLINA HOUSING FINANCE AGENCY FOR FIRST-TIME HOMEBUYERS WHO WORK AS PUBLIC SERVANTS, AND ENACTING THE NORTH CAROLINA PAID FAMILY LEAVE INSURANCE ACT TO HELP WORKING FAMILIES AND CREATING THE EMPLOYER GRANT FUND TO OFFSET COSTS INCURRED BY EMPLOYERS AND APPROPRIATING FUNDS FOR THAT PURPOSE.*

Identical to [S 555](#), filed 4/4/23.

Section 1

Amends Section 9C.4(b) of SL 2021-180 by reducing the amount families must pay for subsidized child care from 10% to 7% of gross family income. Effective July 1, 2023.

Section 2

Amends GS 105-153.10, which provides for the the state child tax credit. Defines qualifying child by reference to the Internal Revenue Code (Code). Eliminates the provisions which require the taxpayer to be permitted a federal tax credit as a qualifying condition to the state child tax credit. Increases the credit amount, ranging from \$125 to \$250 depending on filing status (was, \$100 to \$125). Updates the statutory cross-reference regarding the calculation of state taxable income. Prohibits married individuals who file separate returns from collectively claiming more than the maximum credit allowed under a joint return. Eliminates the provision that prohibits the credit allowed from exceeding the amount of individual income tax imposed by the Part 2, Article 4, for the taxable year reduced by the sum of all credits allowed, excluding payments made by or on behalf of the taxpayer. Instead, enacts new provisions that allow the credit to exceed the amount of individual income tax imposed for the taxable year reduced by the sum of all credits allowable, and requires the Secretary of the Department of Revenue to issue a refund of the excess to the taxpayer. Provides for refunds and computation of allowable credits, with nonrefundable credits subtracted before refundable credits. Effective for taxable years beginning on or after January 1, 2023.

Section 3

Amends GS 95-25.3, effective Labor Day, September 4, 2023, by increasing the minimum wage from \$6.15 to \$15 per hour. Also allows a local government to adopt an ordinance establishing a higher local minimum wage.

Section 4

Amends GS 105-277.1B by increasing the limit on the income eligibility for the property tax homestead circuit breaker from 150% to 180% of the income eligibility limit.

Section 5

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

Appropriates \$150 million in recurring funds from the General Fund to the Homeownership Assistance Fund for 2023-24 to be used to implement the act.

Effective July 1, 2023.

Section 6

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

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

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

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

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

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

Provides for notice by the employer upon hiring and annually thereafter and when leave under the Chapter is requested or anticipated, stating rights and terms under the Chapter, benefit amounts, benefit procedures, Chapter protections, and rights to bring an action or file a complaint. Also requires posting of the notice in languages specified. Authorizes the Assistant

Secretary to adopt rules establishing additional notice requirements. Requires employees to provide notice to their employer as soon as practicable of their intention to take leave under the Chapter.

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

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

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

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

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

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

Creates the Employer Grant Fund to offset employer costs of the program if they demonstrate the need for financial assistance. Specifies that the Fund consists of appropriations from the General Fund and unconditional and unrestricted donations from public agencies and private sources. Requires the Department of Commerce to adopt rules to administer the fund.

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

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

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

Includes a severability clause.

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

Appropriates \$19 million for 2023-24 and \$30 million for 2024-25 from the General Fund to the Department of Commerce, Employer Grant Fund, to offset employer costs of the Paid Family Medical Leave Act. Effective July 1, 2023.

Intro. by Harris, Staton-Williams, John, Jeffers.

[APPROP, GS 95, GS 96A, GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Commerce, Tax, Local Government, Health and Human Services, Social Services, Child Welfare, Military and Veteran's Affairs](#)

H 571 (2023-2024) [DISCHARGE OF HIGHLY TREATED WASTEWATER](#). Filed Apr 4 2023, *AN ACT TO AUTHORIZE DISCHARGES FROM WASTEWATER TREATMENT SYSTEMS THAT MEET SPECIFIED EFFLUENT LIMITATIONS TO CERTAIN SURFACE WATERS*.

Amends GS 143-215.1, allowing the Department of Environmental Quality (DEQ) to authorize permitted discharges of highly treated domestic wastewater to surface waters of the State, including wetlands, perennial streams, and unnamed tributaries of named and classified streams where the *7Q10 flow* or *30Q2 flow*, as defined, of the receiving waterbody is estimated to be low flow or zero flow, from wastewater treatment systems capable of meeting nine specified water quality-based effluent limitations. Defines *highly treated domestic wastewater* as wastewater effluent from treatment systems that receive flows from sources of domestic wastewater that meet the nine effluent standards set forth.

Lists four parameters that are the only requirements applicable to wastewater discharged authorizes pursuant to this provision, including: (1) barring discharge to classified shellfish waters or outstanding resource waters, excluding unnamed tributaries of classified shellfish waters; (2) capping the limitation for any discharge at no more than one-tenth of the flow generated by the one-year, 24-hour storm event given the drainage area and calculated using the rational method, as defined and described; (3) limiting discharge based on the ability of the receiving waters to hydraulically accept the proposed flow, as demonstrated by being equal to or less than one-tenth of the flow using the rational method; and (4) directing all discharges to buffer systems that use low-energy methods to function as a buffer between the discharge and receiving waters, subject to three listed requirements for buffer systems, including that the system consists of high-rate infiltration basins or other suitable technologies to provide physical or hydraulic residence time buffer between the discharge and the receiving waters.

Deems a permit application complete for purposes of DEQ review upon the applicant submitting data to demonstrate the proposed discharge will meet all described requirements, signed and sealed by a licensed professional engineer.

Directs DEQ to adopt necessary temporary rules within 60 days of the date the act becomes law and that they remain effective until permanent rules become effective. Bars adopting rules imposing additional requirements on permitting the discharge of highly treated domestic wastewater over that established in the act.

Intro. by Arp, Brody, D. Hall, Crutchfield.

GS 143

[View summary](#)

Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality (formerly DENR)

H 572 (2023-2024) [STATE INFRASTRUCTURE BANK STUDY](#). Filed Apr 5 2023, *AN ACT TO ESTABLISH A JOINT LEGISLATIVE STUDY COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE INFRASTRUCTURE BANK TO SUSTAINABLY FINANCE INFRASTRUCTURE PROJECTS AND DRIVE ECONOMIC GROWTH IN THE STATE*.

Establishes the 17 member Commission to Study the Feasibility of Establishing a State Infrastructure Bank (Commission) to study how the creation of such a bank could strengthen economic and community development, provide financial resources for infrastructure projects, and leverage State, federal, and private resources to address the need for access to sustainable financial assistance for projects that will contribute to economic growth, job creation, and support of local communities in the State. Sets out membership requirements. Provides for filling vacancies, establishing a quorum, meeting space, staffing, and compensation. Requires the Commission to hold at least five public meetings in distinct geographic regions of the State. Sets out 11 issues the Commission must study, at a minimum, including: providing financing for infrastructure related to housing development, public works infrastructure, educational infrastructure, student loans, and community quality of life projects; providing capital for continued expansion of the State's transportation, environmental, energy, and telecommunications infrastructure; examine various administrative and operational structures for organizing a State Infrastructure Bank; and the extent to which the State Infrastructure Bank should be allowed to compete with banking establishments operating in North Carolina. Allows the Commission to make an interim report to the 2024 Regular Session of the NCGA prior to its convening and requires a final report by the end of that session.

Intro. by Harris, Howard.

STUDY

[View summary](#)

Banking and Finance

H 573 (2023-2024) **FAIR MEDICAID ASC REIMBURSEMENTS**. Filed Apr 5 2023, *AN ACT TO ENSURE FAIR REIMBURSEMENT UNDER THE MEDICAID PROGRAM OF SERVICES PERFORMED IN AN AMBULATORY SURGERY CENTER*.

Identical to [S 586](#), filed 4/4/23.

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 White, Sasser, K. Baker.

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**

H 575 (2023-2024) **MODIFY PROVISIONS AFFECTING ADULT CORRECTION**. Filed Apr 5 2023, *AN ACT TO MODIFY LAWS CONCERNING ADULT CORRECTION, AS RECOMMENDED BY THE DEPARTMENT OF ADULT CORRECTION*.

Identical to [S 492](#), filed 4/4/23.

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 Carson Smith, Davis, Greene, Miller.

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

H 577 (2023-2024) [STUDY/EMERGENCY INFO ON DMV APPLICATIONS](#). Filed Apr 5 2023, *AN ACT REQUIRING THE DIVISION OF MOTOR VEHICLES TO STUDY MODIFYING LICENSE AND LICENSE RENEWAL APPLICATION FORMS TO INCLUDE AN OPTION TO PROVIDE OR UPDATE EMERGENCY CONTACT INFORMATION*.

Requires the Department of Transportation, Division of Motor Vehicles (DMV) to study and provide a plan for allowing applicants to provide emergency contact information on license and license renewal applications. Requires the DMV to report its findings and recommendations to the General Assembly, the chairs of the Joint Legislative Transportation Oversight Committee, and the Fiscal Research Division no later than January 1, 2024.

Intro. by Carson Smith, B. Jones, Johnson.

[STUDY](#)

[View summary](#)

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

H 578 (2023-2024) [INCENTIVIZE SPACE SPIRITS](#). Filed Apr 5 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*.

Identical to [S 572](#), filed 4/4/23.

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 Hawkins.

GS 105

[View summary](#)

[Alcoholic Beverage Control, Government, Tax](#)

PUBLIC/SENATE BILLS

S 496 (2023-2024) [INCREASE SAFE USE OF FIREARMS](#). Filed Apr 3 2023, *AN ACT TO AUTHORIZE THE ISSUANCE OF AN EXTREME RISK PROTECTION ORDER TO RESTRICT TEMPORARILY A PERSON'S ACCESS TO FIREARMS IF THERE IS EVIDENCE THAT THE PERSON POSES A DANGER OF PHYSICAL HARM TO SELF OR OTHERS, TO PROMOTE GUN SAFETY BY STRENGTHENING THE LAW GOVERNING THE SAFE STORAGE OF FIREARMS, TO REQUIRE UNIVERSAL BACKGROUND CHECKS, TO MAKE THE STATE BUREAU OF INVESTIGATION RESPONSIBLE FOR PISTOL PURCHASE PERMITS, TO REINSTATE THE PERMIT REQUIREMENT TO PURCHASE A PISTOL FOR PRIVATE SALES, AND TO EXEMPT FIREARM SAFETY AND STORAGE ITEMS FROM THE SALES TAX.*

Part I.

Reenacts GS 14-402 and makes the following changes. Makes it illegal for any private person (was, person, firm, or corporation) to sell, give away, or transfer, or to purchase or receive a pistol from a person other than a federally licensed firearm dealer (was, any pistol, without indicating the source), without a pistol purchase permit from the State Bureau of Investigation (was, sheriff of the county where the purchaser resides) or a valid concealed handgun permit. Defines *private person* as a person, firm, or corporation who is not a federally licensed firearm dealer acting in accordance with federal law. Makes an exception to the prohibition on receiving a pistol through the mail for a person with documentation demonstrating that they are a federally licensed firearm dealer.

Amends GS 14-403 to make the State Bureau of Investigation, instead of the sheriff, responsible for issuing pistol purchase permits. Makes conforming changes to GS 14-404 and no longer requires consultation with the North Carolina Sheriff's Association in developing the permit application form. Makes conforming changes to GS 14-405 and 14-407.1. Makes conforming changes to GS 14-408.1 and also replaces references to "licensed dealers" with "federally licensed firearm dealers."

Reenacts GS 14-315(b1)(1), which includes as a defense to the prohibition on selling or giving a firearm to a minor that the person shows that the minor produced an apparently valid permit to receive the weapon.

Reenacts GS 122C-54(d2) to give the State Bureau of Investigation access to records of involuntary commitment for mental health or substance abuse treatment for background checks under GS 14-404.

Part II.

Adds new Article 53D, Universal Background Check, to GS Chapter 14, providing as follows. Prohibits a federally licensed firearm dealer from selling, transferring, or delivering a firearm to a private person without conducting a background check that includes verifying the private person's identity by examining a government-issued identification card and conducting a check through the National Instant Criminal Background Check System. Makes it illegal for the following person to possess a firearm: (1) under an indictment or information for, or has been convicted in any state or in any court of the United States of, a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade); (2) fugitive from justice; (3) unlawful user of or addicted to marijuana or any depressant, stimulant, or narcotic drug; (4) adjudicated mentally incompetent or has been committed to any mental institution; (5) alien illegally or unlawfully in the United States; (6) discharged from the US Armed Forces under dishonorable conditions; (7) has renounced his or her US citizenship; (8) subject to a court order that was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate, that restrains the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, and that includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the

intimate partner or child that would reasonably be expected to cause bodily injury. Makes it illegal for a federally licensed firearm dealer to sell, transfer, or deliver a firearm to another person if the background check reveals that possession by the person would violate the law or if the dealer knows or has reason to know that the person is prohibited from possessing a firearm. Makes it a Class F felony for a federally licensed firearm dealer to sell, transfer, or deliver a firearm to a person in violation of this Article, or any person to provide materially false information to the dealer with the intent of illegally obtaining a firearm.

Makes it illegal for a private person to transfer a firearm to another without conducting a background check through a federally licensed firearm dealer and the firearm dealer verifying that the transfer is not illegal. Defines *transfer*. Sets out exceptions for transactions involving specified family members and guardians. Violations are a Class F felony. Applies to transfers of firearms occurring on or after December 1, 2023.

Part III.

Amends GS 14-315.1 by increasing the penalty for a person who resides with a minor to leave a firearm in a condition that it can be discharged and in a manner that the person knew or should have known that an unsupervised minor would be able to gain access to the firearm, from a Class 1 misdemeanor to a Class D felony. Adds a Class D felony for a person residing with an unauthorized person to own or possess a firearm and store or leave it without securely locking it or rendering it incapable of being fired, if the unauthorized person accesses the firearm and: (1) possesses it in violation of the specified law; (2) exhibits it in a public place in a careless, angry, or threatening manner; (3) causes personal injury or death that is not in self-defense; or (4) uses the firearm in the commission of a crime. Defines *unauthorized person* as one who is not authorized to purchase a firearm under State or federal law. Makes conforming changes. Applies to offenses committed on or after December 1, 2023.

Part IV.

Enacts new GS Chapter 50E, the Extreme Risk Protection Orders Act, providing a court procedure for concerned citizens and law enforcement to obtain an order temporarily restricting a person's access to firearms in situations where a person poses a significant danger of harming themselves or others by possessing a firearm. Includes related legislative findings. Sets out defined terms applicable to the Chapter.

Allows either a family or household member or a law enforcement officer or agency to file a verified petition in district court for an Extreme Risk Protection Order (ERPO) in any county authorized by the venue provisions set out in GS 1-82 (most commonly where the plaintiff or defendant resides). Defines *family or household member* to be (1) a person related by blood, marriage, or adoption to the respondent; (2) a dating partner of the respondent; (3) a person who has a child in common with the respondent; (4) a domestic partner of the respondent; (5) a person who has a biological or legal parent-child relationship with the respondent, including stepparents, stepchildren, grandparents, and grandchildren; and (6) a person who is acting or has acted as the respondent's legal guardian. Sets out information required in the petition, including: (1) a factual allegation that the respondent poses a danger of physical harm to self or others (and in the case of an ex parte ERPO, poses an imminent danger of physical harm to self or others) by having in his or her care, custody, possession, ownership, or control a firearm; (2) an identification of the number, types, and locations of firearms under the respondent's custody or control; (3) an identification of any existing protection order governing the respondent; and (4) an identification of any pending legal action between the petitioner and the respondent. Requires an ERPO petition to be accompanied by a written statement made by a witness that states specific facts supporting the allegation in the petition along with the witness's name and relationship to the petitioner, or an audio and visual recording of the incident the petitioner is using as the basis for the ERPO.

Clarifies that a petition for an ERPO can be granted without delay regardless of whether there is pending action between the petitioner and the respondent. Provides for a petitioner to use the substitute address designated by the Address Confidentiality Program when filing documents required by new Chapter 50E. Prohibits the assessment of court costs or attorneys' fees for filing or service of an ERPO petition or service of any ERPOs, except for sanctions for violations regarding signing and verification of the pleadings under GS 1A-1, Rule 11. Authorizes electronic filing of all documents filed, issued, registered, or served in an action under new Chapter 50E.

Requires a summons be issued and served no later than five days prior to the date set for the full ERPO hearing, with the ERPO petition, any ex parte ERPO that has been issued and the notice of hearing on the ex parte ERPO, and a description of an ERPO attached. Directs the clerk of court to effect service through the appropriate law enforcement agency.

Sets forth the required information that must be included in an ERPO, including (1) a statement of the grounds supporting its issuance; (2) the date and time the ERPO was issued and when it expires; (3) whether a mental health or chemical dependency

evaluation of the respondent is required; (4) the court's address where a responsive pleading can be filed; (5) a description of the relinquishment and retrieval requirements for firearms, ammunition, and related permits of the respondent; (6) a description of the process for seeking termination of the ERPO; and (7) a statement that violation of the ERPO is a Class A1 misdemeanor.

Details the parameters of issuing an ex parte ERPO without service or notice. Requires the court to find by clear, cogent, and convincing evidence that the respondent poses an imminent danger of causing physical injury to self or others by having in his or her custody a firearm before a judge or magistrate can issue an ex parte ERPO. Provides that the chief district court judge can designate for each county at least one judge or magistrate to be reasonably available to issue ex parte ERPOs when the court is not in session. Authorizes hearings to consider ex parte relief to be held by video conference.

Details the parameters of issuing a full ERPO, including a hearing on the petition no later than 10 days from either the date an ex parte ERPO was issued, if applicable, or the date the petition was filed. Allows for one continuance of no more than 10 days unless all parties consent or good cause is shown. Permits issuance of a full ERPO when (1) the court finds by a preponderance of the evidence that the respondent poses a danger of causing physical injury to self or others by having in his or her custody a firearm, (2) process was proper, and (3) notice of hearing was proper.

Requires the respondent to immediately surrender to the sheriff possession of all firearms, ammunition, and permits in the custody or control of the respondent upon service of an ERPO, or within 24 hours of service at a time and place specified by the sheriff in the event weapons cannot be surrendered at the time the ERPO is served. Requires the sheriff to issue receipt at the time of surrender or seizure, and file receipt with the court within 48 hours after issuing the receipt. Provides for a warrant to be issued for failure to surrender firearms. Allows the sheriff to charge the respondent a reasonable fee for the storage of any firearms and ammunition taken pursuant to an ERPO. Provides for retrieval if the ex parte ERPO expires and the court does not enter a full ERPO. Otherwise, requires the respondent to file a motion for retrieval within 90 days after an ERPO expires, whereby surrendered firearms, ammunition, and permits must be returned to the respondent within 30 days of the motion unless the court finds the respondent is otherwise precluded from owning or possessing a firearm pursuant to state or federal law. Provides for motion for return by a third party. Authorizes disposal of surrendered firearms that have not been or cannot be returned as specified.

Sets the duration of an ex parte ERPO to be from its effective date to the date the hearing is held, or if a hearing is not held or a continuance not granted, no more than 10 days from its issuance. Requires a full ERPO to be effective for a fixed period of time not to exceed one year. Provides for renewal of any ERPO by the petitioner one or more times prior to its expiration, providing the initial requirements are satisfied and there has been no material change in the circumstances since its issuance. Limits the granting of renewals to open court.

Details the process of terminating an ERPO, with the respondent limited to submitting one motion for termination for every 12-month period the full ERPO is in effect. Requires the court to set a hearing no sooner than 14 days and no later than 30 days from the date of service upon the petitioner. Requires the respondent to prove by a preponderance of the evidence that he or she does not pose a danger of causing physical injury to self or others by having a firearm in his or her custody or care.

Requires the clerk to provide same day notice of ERPO issuance to the sheriff. Requires the sheriff to promptly enter the ERPO into the National Crime Information Center registry; update the orders in the registry upon modification, termination, renewal, or dismissal; and provide 24/7 access to the orders to the courts. Also requires a copy of the ERPO be issued promptly to and retained by the municipal police department. Provides for notice to the respondent if he or she was not present when the ERPO was issued, and for notice to third parties where applicable.

Makes it a Class A1 misdemeanor for any person to possess, purchase, or receive, or attempt to possess, purchase, or receive, a firearm, ammunition, or permits to purchase or carry concealed firearms for so long as an effective ERPO is entered against that person.

Makes it a Class 2 misdemeanor for any person to knowingly make a false statement when petitioning for an ERPO, and for any person to knowingly make a false statement to law enforcement that an ERPO remains in effect.

Clarifies that the remedies provided in new GS Chapter 50E are not exclusive, and that the Chapter does not affect the ability of law enforcement to remove a firearm or permit from any person, or conduct any search and seizure for firearms, pursuant to other lawful authority.

Specifies that Chapter 50E does not impose any criminal or civil liability on any person or entity for acts or omissions related to obtaining an ERPO.

Amends GS Chapter 15C, providing for the inclusion of petitioners for an ERPO in the Address Confidentiality Program. Makes conforming changes.

Amends GS 14-415.4 to require a court to deny a petition to restore the petitioner's firearm rights if the court finds an ex parte or full ERPO has been issued pursuant to GS Chapter 50E or a similar out-of-state or federal order has been issued against the petitioner and the court order is still in effect.

Directs the Administrative Office of the Courts (AOC) to develop the appropriate forms to implement the processes set out in new GS Chapter 50E.

Effective December 1, 2023.

Part V.

Amends GS 105-164.3, the definitions that apply to GS Chapter 105, Article 5, Sales and Use Tax, by defining *firearm safety equipment* to mean an enclosure or a device, other than one that is part of the design of a firearm, that is intended to prevent access to, or unintentional or unauthorized use of, the firearm.

Amends GS 105-164.13 to exempt firearm safety equipment from sales tax.

Applies to sales made on or after October 1, 2023.

Intro. by Batch, Garrett, Bode.

[GS 14, GS 15C, GS 50E, GS 105](#)

[View summary](#)

[Courts/Judiciary, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management, Tax](#)

S 525 (2023-2024) [CONSUMER PRIVACY ACT](#). Filed Apr 3 2023, *AN ACT TO PROTECT CONSUMERS BY ENACTING THE CONSUMER PRIVACY ACT OF NORTH CAROLINA*.

Titles the act as the "North Carolina Consumer Privacy Act."

Enacts GS Chapter 75F, to be cited as the North Carolina Consumer Privacy Act. Sets forth 36 defined terms. Defines the scope of the Chapter, making the Chapter apply to any *controller*, defined as a person doing business in the State who determines for which and the means by which personal data are processed, or *processor*, defined as a person who processes data on behalf of a controller, who: (1) conducts business in the State or produces a product or service that is targeted to consumers who are residents; (2) has annual revenue of \$25 million or more; and (3) who either (a) controls or processes personal data of 100,000 or more consumers during a calendar year, or (b) derives over 50% of the entity's gross revenue from the sale of personal data and controls or processes personal data of 25,000 or more consumers. Lists 17 types of entities, information, and activities that are exempt from the Chapter's provisions, including governmental entities and contractors, nonprofit corporations, federally protected health and private information, and individual's processing of personal data for personal purposes. Establishes that a controller is in compliance with the Chapter's parental consent requirements if the controller complies with the verifiable parental consent mechanisms under the federal Children's Online Privacy Protection Act (COPPA). Clarifies that the Chapter does not require actions that conflict with the federal Health Insurance Portability and Accountability Act (HIPPA).

Establishes that the Chapter supersedes and preempts local laws regarding the processing of personal data by a controller or processor. Provides that reference to federal law includes any rules or regulation adopted thereunder.

Establishes four consumer rights: (1) confirm whether a controller is processing the consumer's personal data and access the consumer's personal data; (2) delete the consumer's personal data that the consumer provided to the controller; (3) obtain a copy of the consumer's personal data that the consumer previously provided to the consumer, in a readily usable format as described; and (4) opt out of the processing of the consumer's data for purposes of targeted advertising or the sale of personal

data. Specifies that the rights do not require a person to cause a breach of security system. Provides for a consumer, parent or guardian, to submit a request to a controller specifying the right the consumer intends to exercise. Requires controllers to take action and inform the consumer of any action taken, or inform the consumer of reasons for not taking action, within 45 days after the day the controller receives a request, absent reasonable suspicion that the request is fraudulent. Provides for extension by another 45 days if reasonably necessary due to the complexity of the request or volume of requests received, subject to notice requirements. Establishes instances in which the controller can charge a fee for requested information. Adds that if a controller is unable to authenticate a consumer request using commercially reasonable efforts, the controller is not required to comply and may request the consumer provide additional information reasonably necessary to authenticate the request.

Requires processors to adhere to controllers' instructions and as reasonably practicable, assist controllers in meeting the controllers' obligations, including security obligations. Establishes mandatory terms for contracts between contractors and processors and requires contracting prior to performing processing on behalf of the processor. Provides for determining acting as a processor versus a controller in specific processing.

Requires a controller to provide consumers with a reasonably accessible and clear privacy notice that includes five points, such as the categories of personal data processed by the controller, the purpose of processing the categories of personal data, and how consumers may exercise a right. Requires conspicuous disclosure of the manner in which a consumer can opt out of a controller's sale of personal data to a third party or processing for targeted advertising. Requires a controller to establish, implement and maintain reasonable administrative, technical, and physical data security practices as described. Prohibits processing sensitive data without first presenting the consumer with clear notice and an opportunity to opt out; requires compliance with COPPA for personal data concerning a known child. Prohibits specified discriminatory acts against a consumer for exercising a right; allows for different offerings when consumers opt out of targeted advertising or offerings related to a customer's voluntary participation in loyalty type programs. Adds that a controller is not required to provide a product, service, or functionality to a consumer if the personal data, or its processing, is reasonably necessary for the controller to provide the consumer the product, service, or functionality, and the consumer does not provide the personal data or allow for its processing. Deems contractual provisions that waive or limit consumer's rights void.

Lists actions that the Chapter does not require of controllers or processors, including reidentifying de-identified data or pseudonymous data. Details responsibilities related to pseudonymous data. Lists 14 actions of controllers or processors which are not restricted by the Chapter, including compliance with civil, criminal, or regulatory inquiries, investigations, subpoenas, or summons by a federal, State, local, or other governmental entity. Sets limits for the Chapter's application, such as when compliance would violate evidentiary privilege under State law or would adversely affect the privacy or rights of any person. Deems controllers and processors not in violation of the Chapter when disclosing personal data to third-party controllers or processors in compliance with the Chapter, the third party processes in violation of the Chapter, and the controller or processor did not have actual knowledge of the third party's intent to commit a violation. Places the burden of demonstrating the processing is exempt on the controller. Specifies that the Chapter does not require disclosure of a trade secret.

Specifies that the Chapter provides no right to a private cause of action. Directs the Consumer Protection Division of the Department of Justice (Division) to establish and administer a system to receive consumer complaints regarding alleged violations and authorizes the Division to investigate consumer complaints. Grants the Attorney General exclusive enforcement authority upon referral from the Division. Details enforcement procedures, including notice of violations, and an opportunity to cure noticed violations. Provides for recovery of actual damages to the consumer and up to \$7,500 for each violation; requires allocation of liabilities among multiple processor and controllers involved in the same processing violation.

Creates the Consumer Privacy Account (Account), funded by money received through civil enforcement actions. Allows for the funds, upon legislative appropriation, to be used by the Attorney General for investigation and administrative costs relating to Chapter violations, recovery of costs and attorneys fees incurred during enforcement, and providing consumer and business education relating to the Chapter. Requires annual transfer of amounts exceeding \$4 million in the Account to the General Fund.

Directs the Attorney General and the Division to report to the specified NCGA committee by July 1, 2025, evaluating the liability and enforcement provisions of the Chapter, and summarizing the data protected and not protected. Allows updating the report as new information becomes available.

Effective January 1, 2024.

[View summary](#)**Business and Commerce, Consumer Protection, Government,
State Agencies, Department of Justice**

S 535 (2023-2024) **PENSION FORFEITURE DUE TO CRIMINAL ACTS**. Filed Apr 4 2023, *AN ACT TO CAUSE THE FORFEITURE OF BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM FOR COMMITTING CERTAIN CRIMINAL OFFENSES WHILE IN OFFICE AND TO UPDATE ASSOCIATED RETIREMENT RECORDS*.

Amends definitions provisions of GS 135-1 (Teachers' and State Employees Retirement System [TSERS]), GS 128-21 (Local Government Employees Retirement System [LGERS]) to add defined term *conduct directly related to the office or employment*, which means conduct by a member resulting in a felony conviction that: (1) is an offense listed in GS 115C-270.35(b)(felonies that trigger an automatic revocation of a professional educator without a hearing) committed while employed in or working in a public school); (2) an offense which required the revocation of the member's licensure or certification required for the member's employment or office at the time of the commission of the offense; or (3) is conduct that was directly related to the member's employment or office as determined by each system's Board of Trustees. Makes organizational changes.

Amends TSER's provision (GS 135.18.10), pertaining to forfeiture of retirement benefits for certain felonies committed while serving as an elected government official, to require that each employer who reported compensation for a member convicted of embezzlement to recertify the accuracy of all compensation within 120 days of notice of the conviction. Provides for an employer to request an extension of an additional 60 days to provide for the recertification. Specifies that if recertification does not occur within 180 days after notice of conviction, then the member's right to receive a distribution from the Retirement System is reinstated and eligible to receive a distribution based on the previously reported compensation. Specifies, however, that if the employer subsequently recertifies the compensation the distributions by TSERs will be adjusted accordingly. As the act incorporates this process into other retirement system statutory schemes, the above described recertification process upon notice of a conviction for embezzlement in this paragraph is referred to as the "Compensation Recertification" throughout this summary.

Amends GS 135-18.10A (TSERS) and GS 128-38.4A (LGERS), pertaining to forfeiture of retirement benefits for certain felonies related to employment or holding office as follows. Adds removal from office for certain felonies committed under GS 128-16 (pertaining to unfit officers) and, for TSERS, GS 7A-173(c)(pertaining to removal of magistrates) as a triggering violation for forfeiture of retirement benefits (currently, just requires conviction of felony under federal or State law). Requires Compensation Recertification. Specifies that if the system's Board of Trustees receives an order from a judge determining that the member's removal from office was due to conduct directly related to the member's service and directing the Board of Trustees not to pay retirement benefits or allowances to the member, except for a return of member contributions plus interest, then the Board of Trustees must not pay to the member any benefits or allowances except as provided in statutory provisions pertaining to credit for service. Specifies that the order must state the dates on which the conduct occurred. As the act incorporates this process into other retirement system statutory schemes and provisions of LGERS, the above described court order decompensation in this paragraph will be referred to as "Court Ordered Retirement Forfeiture" throughout this summary.

Amends LGERS's provision (GS 128-38.4), pertaining to forfeiture of retirement benefits for certain felonies committed while serving as an elected government official, to add removal from office for certain felonies committed under GS 128-16 (pertaining to unfit officers) as a triggering violation for forfeiture of retirement benefits (currently, just requires conviction of felony under certain federal law). Provides for Court Ordered Retirement Forfeiture. Requires Compensation Recertification.

Amends provisions of the Judicial Retirement System (JRS) pertaining to forfeiture of retirement benefits for certain felonies committed while serving as an elected official (GS 135-75.1) and forfeiture of retirement benefits related to employment or holding office (GS 135-75.1A), to add removal from office for certain crimes committed under GS 7A-66 (grounds for removal of district attorneys), GS 7A-105 (grounds for suspension, removal, and reinstatement of clerk), or GS 7A-376(b) (grounds for discipline by the Judicial Standards Commission) as a triggering violation for forfeiture of retirement benefits

(currently, just requires conviction of felony under certain federal law). Provides for Court Ordered Retirement Forfeiture. Requires Compensation Recertification.

Amends the Allowance for Service provisions of TSERS (GS 135-4(ii), LGERS (GS 128-26) and JRS (GS 135-56) to allow for forfeiture of retirement benefits if a member is removed from office. For LGERS and JRS, clarifies that that service imputed under the allowance on disability retirement (GS 128-27(d4)-LGERS; GS 135-60(a)-JRS) accrues on the effective date of disability retirement.

Amends TSERS, LGERS, JRS, and the Legislative Retirement System (LRS), to require an annual report to each Board of Trustees of forfeited retirement benefits due to felonies committed while serving as an elected government official and felonies related to employment or holding office, as follows. Requires the Director of each retirement system to supply an annual report to each Board of Trustees listing members to whom the felony forfeiture statutes were applied in the previous year. Requires certain identifying information of each member in the report. Specifies the report is a public record under State public records law. Amends GS 135-6.1 (TSERS) and GS 128-33.1 (LGERS) to specify that records pertaining to whether the member has had credible service forfeited is a public record.

Amends definitions provision of LRS (GS 120-4.8) to add definition of *conduct directly related to the office*, which means conduct by the member resulting in a felony conviction that was directly related to the member's office as determined by the LRS Board of Trustees. Amends GS 120-4.33, (pertaining to forfeiture of retirement benefits for certain felonies under the LRS) and GS 120-4.33A (pertaining to forfeiture of retirement benefits for certain felonies related to employment or holding office under the LRS) to require Compensation Recertification. Clarifies that that service imputed under the allowance on disability retirement under LRS (GS 120-4.22(c)) accrues on the effective date of disability retirement.

Amends GS 7A-66, pertaining to the removal of district attorneys, GS 7A-376 (pertaining to grounds for discipline by the Judicial Standard Commission), GS 7A-105 (pertaining to suspension, removal and reinstatement of clerks of court), GS 7A-173 (pertaining to suspension, removal, and reinstatement of magistrates), GS 128-16 (pertaining to removal of unfit sheriffs or police officers) to require Court Ordered Retirement Forfeiture.

Effective January 1, 2024.

Intro. by Krawiec, Ford, Alexander.

[GS 7A, GS 120, GS 128, GS 135](#)

[View summary](#)

Courts/Judiciary, Employment and Retirement, Government, General Assembly, Public Records and Open Meetings, State Government, State Personnel

S 555 (2023-2024) [WORKING FAMILIES ACT](#). Filed Apr 4 2023, *AN ACT REDUCING PARENT COPAYMENTS FOR SUBSIDIZED CHILD CARE, REENACTING THE CHILD TAX CREDIT, INCREASING THE STATE MINIMUM WAGE TO FIFTEEN DOLLARS PER HOUR ON LABOR DAY 2023 AND GRANTING LOCAL GOVERNMENTS FLEXIBILITY TO SET A HIGHER LOCAL MINIMUM WAGE, INCREASING THE INCOME ELIGIBILITY LIMIT FOR THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER, CREATING A HOMEBUYERS' ASSISTANCE PROGRAM WITH THE NORTH CAROLINA HOUSING FINANCE AGENCY FOR FIRST-TIME HOMEBUYERS WHO WORK AS PUBLIC SERVANTS, AND ENACTING THE NORTH CAROLINA PAID FAMILY LEAVE INSURANCE ACT TO HELP WORKING FAMILIES AND CREATING THE EMPLOYER GRANT FUND TO OFFSET COSTS INCURRED BY EMPLOYERS AND APPROPRIATING FUNDS FOR THAT PURPOSE.*

Section 1

Amends Section 9C.4(b) of SL 2021-180 by reducing the amount families must pay for subsidized child care from 10% to 7% of gross family income. Effective July 1, 2023.

Section 2

Amends GS 105-153.10, which provides for the the state child tax credit. Defines qualifying child by reference to the Internal Revenue Code (Code). Eliminates the provisions which require the taxpayer to be permitted a federal tax credit as a qualifying condition to the state child tax credit. Increases the credit amount, ranging from \$125 to \$250 depending on filing status (was,

\$100 to \$125). Updates the statutory cross-reference regarding the calculation of state taxable income. Prohibits married individuals who file separate returns from collectively claiming more than the maximum credit allowed under a joint return. Eliminates the provision that prohibits the credit allowed from exceeding the amount of individual income tax imposed by the Part 2, Article 4, for the taxable year reduced by the sum of all credits allowed, excluding payments made by or on behalf of the taxpayer. Instead, enacts new provisions that allow the credit to exceed the amount of individual income tax imposed for the taxable year reduced by the sum of all credits allowable, and requires the Secretary of the Department of Revenue to issue a refund of the excess to the taxpayer. Provides for refunds and computation of allowable credits, with nonrefundable credits subtracted before refundable credits. Effective for taxable years beginning on or after January 1, 2023.

Section 3

Amends GS 95-25.3, effective Labor Day, September 4, 2023, by increasing the minimum wage from \$6.15 to \$15 per hour. Also allows a local government to adopt an ordinance establishing a higher local minimum wage.

Section 4

Amends GS 105-277.1B by increasing the limit on the income eligibility for the property tax homestead circuit breaker from 150% to 180% of the income eligibility limit.

Section 5

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

Appropriates \$150 million in recurring funds from the General Fund to the Homeownership Assistance Fund for 2023-24 to be used to implement the act.

Effective July 1, 2023.

Section 6

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

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

individuals electing coverage to make employer contributions as specified. Bars deducting more than 50% of the contribution required from that employee's wages.

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

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

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

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

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

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

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

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

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

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

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

Creates the Employer Grant Fund to offset employer costs of the program if they demonstrate the need for financial assistance. Specifies that the Fund consist of appropriations from the General Fund and unconditional and unrestricted donations from public agencies and private sources. Requires the Department of Commerce to adopt rules to administer the fund.

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

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

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

Includes a severability clause.

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

Appropriates \$19 million for 2023-24 and \$30 million for 2024-25 from the General Fund to the Department of Commerce, Employer Grant Fund, to offset employer costs of the Paid Family Medical Leave Act. Effective July 1, 2023.

Intro. by Marcus, Meyer, Mohammed.

[APPROP, GS 95, GS 96A, GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Commerce, Tax, Local Government, Health and Human Services, Social Services, Child Welfare, Military and Veteran's Affairs](#)

S 576 (2023-2024) [SHARED PARENTING](#). Filed Apr 4 2023, *AN ACT ESTABLISHING A PRESUMPTION OF JOINT CUSTODY AND SHARED PARENTING*.

Amends various sections of GS Chapter 50 to establish the presumption of joint custody and shared parenting arrangements as in the best interests of a child. Amends GS 50-13.01 (Purposes) to add new subsection (6), making it State policy to encourage parental agreements and joint/shared custody arrangements where a child spends equal time with each parent. Amends GS 50-13.1 (Action or proceeding for custody of minor child), subsection (b)(2), to add to the mediation goals the development of a custody and visitation agreement that equalizes to the greatest extent possible the amount of time a child spends with each parent. Amends GS 50-13.2 to add “presumption of shared parenting” to the title, and to add new subsection (a1), creating a rebuttable presumption that joint custody and shared parenting is in the best interest of the child, along with eleven relevant factors for the court to consider when preparing a shared parenting schedule. Also adds new subsection (a2), outlining conditions that will rebut the presumption that shared parenting is in the child’s best interest, and makes clarifying changes to subsection (b).

Intro. by Sanderson, Krawiec, Corbin.

[GS 50](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law](#)

S 584 (2023-2024) [BREAST CANCER DIAGNOSTIC IMAGING REFORM](#). Filed Apr 4 2023, *AN ACT TO PROVIDE HEALTH COVERAGE PARITY FOR BREAST CANCER DIAGNOSTIC IMAGING AND TO REQUIRE COVERAGE FOR MAMMOGRAMS AND ULTRASOUNDS FOR INDIVIDUALS WITH DENSE BREAST TISSUE*.

Amends and repeals various sections to require health coverage for breast cancer diagnostic imaging. Recodifies GS 58-51-57 (Coverage for mammograms and cervical cancer screening) as GS 58-3-271, and repeals GS 58-65-92 and GS 58-67-76, two other statutes regarding coverage for mammograms and cervical cancer screenings. Amends the text of GS 58-51-57, as recodified in GS 58-3-271, to require all health plans in the state to cover examinations/screenings for cervical cancer and low-dose screening mammography and breast ultrasound as recommended by a physician. Also amends the text to ensure cost-sharing requirements for supplemental breast cancer examinations are no less favorable than requirements applicable to screening examinations for breast cancer. Makes corresponding changes throughout the section and provides relevant definitions. Amends GS 135-48.51 to make the coverage included in the recodified GS 58-3-271 applicable to the State Health Plan. These changes are effective and applicable to insurance contracts issued, renewed or amended on or after October 1, 2023.

Appropriates \$1.5 million for 2023-24 to the Community Colleges System Office from the General Fund to develop a program for recruitment and retention of certified mammography technologists in rural and medically underserved areas of the state. The appropriation is effective July 1, 2023.

Intro. by Batch, Chaudhuri, Bode.

[APPROP, GS 58, GS 135](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, Community Colleges System Office, State Government, State Personnel, Health and Human Services, Health, Health Insurance

S 587 (2023-2024) [END LIMITS ON LABOR ORGANIZING](#). Filed Apr 4 2023, *AN ACT REPEALING LAWS THAT LIMIT LABOR ORGANIZING IN NORTH CAROLINA*.

Repeals laws limiting labor organizing throughout GS Chapter 95. Lifts restrictions on public employees through repeal of GS Chapter 95, Article 12, which prohibits contracts between units of government and labor and trade unions in GS 95-98 and strikes by public employees in GS 95-98.1. Amends Article 10 of GS Chapter 95 to lift limitations on labor organizing by repealing GS 95-79, which contains right-to-work and agricultural contract provisions, GS 95-80, which prohibits an employer from requiring an employee to be a member of a labor union as a condition of employment, and GS 95-82, which prohibits an employer to require an employee to pay dues to a labor union as a condition of employment. Makes conforming and clarifying changes throughout Article 10.

Intro. by Applewhite, Smith.

[GS 95](#)

[View summary](#)

Employment and Retirement

S 590 (2023-2024) [ANGEL INVESTMENT FOR SMALL BUSINESSES](#). Filed Apr 4 2023, *AN ACT TO CREATE A TAX INCENTIVE FOR ANGEL INVESTORS*.

Creates new GS 105-153.11 (Angel investment tax credit), establishing a tax credit for angel investors who make investments in qualified businesses located in the state. Provides a nonrefundable income tax credit of 35% of a qualified investment that is 50% applicable in the year the investment is made and 50% applicable in future tax years. Defines qualified business as a registered business that (1) is either a corporation, limited liability company, or a general or limited partnership located and headquartered in NC at the time the investment was made and has maintained these headquarters for the entire time the qualified business benefitted from this tax credit, (2) was organized no more than five years before the qualified investment was made, (3) employs or fewer people in this State at the time it is registered as a qualified business, (4) has had in any complete fiscal year before registration gross income as determined in accordance with the Code \$2 million or less on a consolidated basis, or (v) is primarily engaged in manufacturing, processing, warehousing, wholesaling, software development,

information technology services, research and development, or a business providing services set forth in subsectors 621, 622, 12 and 623 of NAICS provided the business does not engage in listed activities. Establishes definitions for the section, including “angel investor” and “qualified investment.”

Provides for the allocation of the credit when the qualifying investment is made by a pass-through entity. Outlines limitations on the credit allowed under the section, including a cap of \$5 million in credits for all taxpayers in a calendar year and \$100,000 per individual. Requires a qualified business to register with the Secretary of Revenue for purposes of the section, and requires the Secretary to report a list of the registered businesses to the Joint Legislative Commission on Governmental Operations by January 31 of each year. Establishes an application procedure, and requires the Department of Revenue to report the number of angel investor tax credit applications received and approved and the number of tax credits approved, by county, to the Joint Legislative Committee on Governmental Operations by March 31 of each year.

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

Intro. by Salvador, Garrett.

[GS 105](#)

[View summary](#)

[Government, State Agencies, Department of Revenue, Tax](#)

S 591 (2023-2024) [ESTABLISH EYELASH ART TECHNICIAN](#). Filed Apr 4 2023, *AN ACT TO ESTABLISH AN EYELASH ART TECHNICIAN LICENSE UNDER THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS*.

Enacts GS 88B-10.2, establishing a license to practice as an eyelash art technician (technician). Sets forth qualifications for licensure, including completion of an eyelash art training course or curriculum approved by the Board of Cosmetic Art Examiners (Board), passage of an exam conducted by the Board, and payment of the \$10 annual licensing fee set in GS 88B-20. Amends GS 88B-2 to define *eyelash art*, *eyelash art license*, and *eyelash art technician*.

Makes the following changes to GS Chapter 88B, making the Chapter's provisions apply to eyelash art technicians. Amends GS 88B-13 to allow for reciprocity of technicians licensed in other states. Amends GS 88B-21 to require annual renewal of technician licenses and completion of required continuing education; extends the exemption for annual continuing education to technicians who are inactive practitioners with at least 10 consecutive years of practice and 60 or over. Amends GS 88B-22, making it a Class 3 misdemeanor to practice without a technician license. Amends GS 88B-23 to require technicians to display their license in the shop where the person works. Amends GS 88B-24 to grant the Board disciplinary authority over technicians for violations of GS 86A-15 for practicing cosmetic art in a barber shop.

Directs the Board to adopt temporary implementing rules, post information online advertising the eyelash art technician application process, and provide information on which accredited school is approved by the Board for training as a technician for licensure.

Effective October 1, 2023.

Intro. by Salvador.

[GS 88B](#)

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

S 595 (2023-2024) [PRIMARY CARE PAYMENT REFORM TASK FORCE](#). Filed Apr 5 2023, *AN ACT TO ESTABLISH THE PRIMARY CARE PAYMENT REFORM TASK FORCE*.

Establishes the NC Primary Care Payment Reform Task Force (Task Force) to perform the following duties: (1) establish a definition of primary care to be utilized by the Task Force that is applicable to services and care provided under the NC Medicaid program, the State Health Plan, and commercial insurance; (2) conduct an actuarial evaluation of the current healthcare spend on primary care services, both as it relates to the NC Medicaid program and the commercial market, including Medicare Advantage plans; (3) determine the adequacy of the primary care delivery system in North Carolina, including the impact this system has on the supply of the primary care providers in this State; (4) study the primary care

payment landscape in other states, specifically considering states that have implemented a minimum primary care spend; (5) identify data collection and measurement systems to inform creation of a primary care investment target for the NC Medicaid program, the State Health Plan, and commercial insurance, including a method by which to measure improvements made toward that target; (6) evaluate the need for a permanent Task Force, or other similar entity, including which State agency or body is best suited to oversee the work of that group; (7) perform any other studies, evaluations, or determinations the Task Force considers necessary. Sets forth membership composition of the eight members of the Task Force, including selecting bodies. Specifies all members are voting members. Specifies that any vacancies that occur for any membership positions that are not held as a function of office will be filled by the selecting body upon vacancy. Requires the Deputy Secretary for NC Medicaid, or the Deputy Secretary's designee, to serve as the chair of the Task Force.

By no later than April 1, 2024, requires the Task Force to submit a report with its findings and recommendations to the specified NCGA committees. Requires the findings and recommendations to include specific, concrete, and actionable steps to be undertaken by the State and upon which the General Assembly could act.

Expires May 1, 2024.

Effective July 1, 2023, appropriates from the General Fund to the Department of Health and Human Services, Division of Health Benefits \$250,000 in nonrecurring funds for the 2023-2024 fiscal year to be used for any actuarial evaluation undertaken by the Task Force.

Intro. by Hise, Burgin.

APPROP, STUDY

[View summary](#)

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

S 596 (2023-2024) **FUNDS FOR GENESIS PROJECT**. Filed Apr 5 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE GENESIS PROJECT FAMILY WELLNESS CENTER IN CHARLOTTE*.

Appropriates \$25,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to Genesis Project Family Wellness Center Inc. to assist with renovations and service provision. Effective July 1, 2023.

Intro. by Waddell.

APPROP, Mecklenburg

[View summary](#)

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

S 597 (2023-2024) **PHARMACISTS/COLLABORATIVE PRACTICE**. Filed Apr 5 2023, *AN ACT TO MODERNIZE AND EXPAND PHYSICIAN-PHARMACIST COLLABORATIVE PRACTICE*.

Amends GS 90-18(c), listing actions that do not constitute practicing medicine or surgery under Article 1, Practice of Medicine. Replaces subdivision (3a) to now exclude the provision of health care services by a licensed pharmacist under a collaborative practice agreement with at least one physician performed pursuant to rules developed by a joint subcommittee of the Medical Board and Board of Pharmacy and approved by both Boards (currently, excludes the provision of drug therapy management by a licensed pharmacist engaged in the practice of pharmacy pursuant to an agreement that is physician, pharmacist, patient, and disease specified when performed pursuant to rules approved by the Boards). Defines "health care services" as medical tasks, acts, or functions authorized through written agreement by a physician and delegated to a pharmacist for the purpose of providing drug therapy, disease, or population health management for patients.

Amends GS 90-18.4, which sets limitations on clinical pharmacist practitioners, to eliminate references to drug therapy management. Provides that physicians can authorize clinical pharmacist practitioners to provide health care services so long as the Boards have adopted rules governing the approval of individual practitioners, the practitioner has current approval from

both Boards, and the Medical Board has assigned an identification number to the practitioner that is shown on written prescriptions. Eliminates limitations relating to practitioners' prescription substitutions, and authority to order medication and tests. Deems orders written by a clinical pharmacist practitioner for medications, tests, or other devices to have been authorized by the supervising physician, with the supervising physician responsible for authorizing the order, and authorizes registered nurses, licensed practical nurses, and pharmacists to perform the order in the same manner as if the order was received from a licensed physician. Authorizes institutional and group practices to implement site-specific, multi-provider collaborative practice agreement for the care of their patients. Requires the institution or group practice to develop an oversight policy and requires evaluation of the practitioners engaged in the agreement by an appointed supervising physician. Lists six requirements that apply to clinical pharmacist practitioners and supervising physicians engaging in collaborative practice, including (1) requiring a clinical pharmacist practitioner to have a site-specific supervising physician; (2) requiring the supervising physician to conduct periodic review and evaluation of the health care services provided by the clinical pharmacist practitioner; (3) allowing a physician to supervise any number of clinical pharmacist technicians as the supervising physician deems can be safely and effectively supervised; (4) requiring delegated health care services to be included in the written agreement between the supervising physician and the clinical pharmacist practitioner; (5) allowing a supervising physician to include a statement of authorization in the written agreement to allow the clinical pharmacist practitioner to conduct drug substitutions as specified; and (6) allowing supervising physicians to add other advanced practice providers that they supervise to the collaborative practice agreement. Allows for the health care settling location of health care services provided by the clinical pharmacist practitioner to be fully or partially embedded for a site-specific practice. Requires the supervising physician to determine the setting location and include the location in the site-specific collaborative practice agreement.

Amends the definition of clinical pharmacist practitioner in GS 90-85.3 to include authorization to perform medical acts, tasks, and functions for drug therapy, disease, or population health management agreements with physicians pursuant to GS 90-18.4, as amended.

Makes the above provisions effective October 1, 2023.

Enacts GS 58-50-296 to require health benefit plans offered by insurers to reimburse a pharmacist at the same rate that other advanced practice or mid-level health care providers are reimbursed when providing the same or equivalent health care services, as defined, or procedures if (1) the service or procedure was performed within the pharmacist's licensed scope of practice; (2) the plan would have provided reimbursement if performed by another health care provider; and (3) the pharmacist provided the service or procedure pursuant to any requirements of the insurer related to the service or procedure. Requires insurers offering a health benefit plan that delegate credentialing agreements to contracted health care facilities to accept credentialing for pharmacists employed or contracted with those facilities. Requires insurers offering health benefit plans to reimburse a contracted health care facility or a contract pharmacist directly for covered services performed by a pharmacist within their lawful scope of practice regardless of network participation. Prohibits participation of a pharmacy in a drug benefit provider network of an insurer offering a health benefit plan from satisfying any requirement that insurers offering health benefit plans include pharmacists in medical benefit provider networks. Includes agents of an insurer offering a health benefit plan, and third-party administrators. Effective October 1, 2023, and applies to contracts entered into, renewed, or amended on or after that date.

Directs the Boards to adopt temporary implementing rules.

Intro. by Hise, Krawiec.

GS 90

[View summary](#)

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

S 598 (2023-2024) [HEALTHY STUDENTS - A NURSE IN EVERY SCHOOL](#). Filed Apr 5 2023, *AN ACT TO REQUIRE AT LEAST ONE SCHOOL NURSE IN EVERY SCHOOL IN A LOCAL SCHOOL ADMINISTRATIVE UNIT BEGINNING IN THE 2023-2024 SCHOOL YEAR AND TO APPROPRIATE ADDITIONAL FUNDS TO MEET THAT REQUIREMENT.*

Amends GS 115C-47 to require local boards of education to ensure that each school within the unit has a school nurse available to students at all times during the instructional day. Boards may hire full- or part-time nurses directly or contract with a third party to provide nursing services. Effective beginning with the 2023-24 school year.

Appropriates \$77 million in recurring funds from the General Fund to the Department of Public Instruction for 2023-24 to increase the Instructional Support Allotment to be used to increase positions for school nurses to meet the act's requirements. Specifies that the funds are supplemental to funds provided for school nurses.

Effective July 1, 2023.

Intro. by Waddell, Batch, Smith.

[APPROP, GS 115C, GS 116](#)

[View summary](#)

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

S 599 (2023-2024) [MULTICAMPUS CENTER RECOGNITION](#). Filed Apr 5 2023, *AN ACT TO REQUIRE THE STATE BOARD OF COMMUNITY COLLEGES TO GRANT MULTICAMPUS CENTER STATUS TO OFF-CAMPUS INSTRUCTIONAL SITES MEETING CERTAIN CRITERIA*.

Addresses the status of off-campus instructional sites as community college multicampus centers. Requires the State Board of Community Colleges (Board) to approve sites as community college multicampus centers if they meet certain criteria: (1) the community college must have owned and managed the site for more than 10 years; (2) the community college's accrediting agency recognizes the site; (3) the community college meets certain academic criteria and offers courses in English and Spanish; (4) the site serves an economically challenged, mobility-limited, and higher than average minority community; (5) the site is in the largest city in the community college's area and within 2.5 miles of a public transportation center; (6) more than \$35 million in local general obligation bonds have been given to the community college; (7) the site has averaged more than 300 full time employees each year for over five years; (8) the site is at least 15 miles from an applicant community college.

Directs community colleges to submit applications to the State Board of Community Colleges by September 1, 2023. Directs the Board to approve applications according to the criteria by January 31, 2024. Approved sites remain recognized for as long as they continue to meet the criteria.

Intro. by Galey.

[UNCODIFIED](#)

[View summary](#)

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

S 600 (2023-2024) [ESTABLISHING PATERNITY REVISIONS](#). Filed Apr 5 2023, *AN ACT TO CHANGE THE PROCESS FOR ESTABLISHING PATERNITY OF CHILDREN BORN OUT OF WEDLOCK*.

Amends GS 29-19 (pertaining to succession by, through and from children born out of wedlock) to delete the requirement that a father must also file the writing acknowledging the child born out of wedlock with the clerk of superior court of the county where either the father or child resides. Makes technical change.

Intro. by Mayfield, Sawrey.

[GS 29](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law](#)

S 601 (2023-2024) [FIRST RESPONDERS MENTAL HEALTH CARE PLAN](#). Filed Apr 5 2023, *AN ACT ESTABLISHING A SUPPLEMENTAL INSURANCE POLICY FOR FIRST RESPONDERS DIAGNOSED WITH MENTAL HEALTH CONDITIONS*.

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

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

Requires a first responder, in order to be eligible for benefits, to: (1) be currently employed as a first responder, regardless of the date of original diagnosis and (2) be diagnosed by a health care provider, who establishes with a reasonable degree of medical certainty that employment activities as a first responder caused the mental condition due to a singular incident or accumulative effect of employment-related activities. Prohibits receiving benefits if the first responder is receiving benefits related to a mental condition under the NC Worker's Compensation Act.

Sets out provisions governing a medical cost reimbursement, salary benefit, and a disability benefit, including the amount of the benefit and limits on which benefits can be used together. Sets out additional limitations on the disability benefits including limiting duration of the benefits to 36 consecutive months.

Effective January 1, 2024.

Intro. by Johnson, Lazzara, Perry.

[GS 58](#)

[View summary](#)

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

S 602 (2023-2024) [GRANT'S LAW/REQUIRE LIFEGUARDS AT DAY CAMPS](#). Filed Apr 5 2023, *AN ACT TO REQUIRE CERTIFIED LIFEGUARDS AT DAY CAMPS FOR SCHOOL-AGE CHILDREN WHEN PROVIDING AQUATIC ACTIVITIES*.

Creates new GS 110-101.2 (Lifeguard requirements for day camps), which governs mandatory requirements for lifeguard supervision of school-age children swimming at day camps. Establishes definitions for the section, including “day camp.” Requires a day camp offering aquatic activities to employ a lifeguard with a current training certificate from the Red Cross or a lifeguard training determined to be equivalent to Red Cross training by the Department of Health and Human Services (DHHS). Establishes a requirement for two lifeguards for the first 25 children swimming, then another lifeguard for every additional 15 children or portion thereof. Requires a mandatory swim test in a public swimming pool before aquatic activities begin, and if a child fails the test, they must be fitted with a life jacket while engaging in activities. Prohibits participation in aquatic activities held in hot tubs, spas, saunas or steam rooms, portable wading pools, or other unfiltered, nondisinfected containments of water. Requires DHHS to establish policies necessary to implement the section similar to rules or policies implemented for licensed summer day camps.

Effective on June 1, 2024.

Intro. by Meyer, Johnson.

[GS 110](#)

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Public Health, Social Services, Child Welfare

S 603 (2023-2024) [CONFIDENTIALITY OF ANIMAL SERVICES RECORDS](#). Filed Apr 5 2023, *AN ACT CONCERNING PERSONALLY IDENTIFIABLE RECORDS RELATING TO COUNTY ANIMAL SERVICES*.

Enacts new GS 132-1.15 regarding personally identifiable information held by animal shelters. Information about the following is not public record: (1) individuals who surrendered animals to animal shelters; (2) individuals who put animals in long-term hold or foster settings because of domestic violence; (3) individuals who adopted a shelter animal or are fostering a shelter animal; (4) disposition of animals removed from situations of statutory animal cruelty according to GS 14-363.2. The identify of animal rescue centers receiving animals from county animal control services is public record. Gives counties discretion as to whether to disclose information that is not a public record.

Intro. by Marcus, Moffitt, Sawrey.

[GS 132](#)

[View summary](#)

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

S 604 (2023-2024) [MOTORCYCLE ROAD GUARD CERTIFICATION](#). Filed Apr 5 2023, *AN ACT DIRECTING THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A MOTORCYCLE ROAD GUARD CERTIFICATION PROGRAM AND AUTHORIZING MOTORCYCLE ROAD GUARD CERTIFICATE HOLDERS TO SERVE AS TRAFFIC-CONTROL OFFICERS*.

Creates new GS 20-114.2, directing the Department of Transportation, Division of Motor Vehicles (DMV) to establish a motorcycle road guard certification program, which will entitle the person to serve as a traffic-control officer under GS 20-114.1. Requires the DMV to establish requirements for the motorcycle road guard certification, including being 18 years of age, possessing a valid license with a motorcycle endorsement, and completing the certification course developed by the DMV. Also directs the DMV to establish safety and equipment standards and procedures for police chiefs and sheriffs to ensure the validity of a motorcycle road guard certification.

Amends GS 20-114.1 to permit the appointment of a person with motorcycle road guard certification as a traffic control officer, and to require that persons appointed to be traffic control officers are at least 18 years of age. Also requires proof of liability coverage for a traffic control officer if the insurance policy is being provided by an entity other than the appointing law-enforcement agency.

Directs the DMV to adopt rules to implement the act.

Effective January 1, 2024.

Intro. by Alexander, Jarvis, Galey.

[GS 20](#)

[View summary](#)

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

S 605 (2023-2024) [NO FORCED MICROCHIP IMPLANTS FOR EMPLOYEES](#). Filed Apr 5 2023, *AN ACT TO PROTECT EMPLOYEES FROM FORCED HUMAN MICROCHIP IMPLANTATION*.

Enacts GS 95-28.1B, pertaining to microchip implantation of employees. Defines *coerce*, *employee*, *employer*, and *microchip*. Prevents an employer from doing any of the following:

(1) Asking on an application or inquiring during an interview if the prospective employee will consent to having a microchip implanted in their body

- (2) Requiring an employee to have a microchip implanted in the employee's body as a condition of employment.
- (3) Coercing an employee into consenting to have a microchip implanted in their body.
- (4) Creating a hostile work environment for an employee who does not consent to having a microchip implanted in their body.
- (5) Withholding advancement within the company from an employee who does not consent to having a microchip implanted in their body.
- (6) Withholding a salary or wage increase from an employee who does not consent to having a microchip implanted in their body.
- (7) Dismissing an employee based on the decision of the employee not to consent to having a microchip implanted in their body.

Requires the employer to provide reasonable accommodations for an employee who does not consent to having a microchip implanted in their body.

Permits a microchip to be implanted in an employee's body at the request of an employer if the employee provides the employer with written consent. Specifies that an employee may request the removal of the microchip at any time. Provides that if an employee requests the removal of the microchip, the microchip implant must be removed within 30 days of the employee's request. Requires employers to pay all costs associated with implanting and removing the microchip, and any medical costs incurred by the employee as a result of any bodily injury to the employee caused by the implantation/presence of the microchip. Also requires the employer to disclose to the employee the data that will be maintained on the microchip and how the data that is maintained on the microchip will be used by the employer. Requires removal of the microchip within 30 days after an employee is terminated from employment unless an employee elects to retain the implanted microchip. Specifies that if the employee retains the implanted microchip, the employee assumes responsibility for all costs associated with the microchip, including medical costs. Clarifies that the act does not prevent an employer from using alternative noninvasive technology to track the movement of an employee. Amends the antiretaliation provision of GS 95-241 to include reference to GS 95-28.1B.

Applies to employers, employees, and prospective employees after the act becomes law.

Intro. by Alexander, Moffitt, Ford.

GS 95

[View summary](#)

Employment and Retirement

S 606 (2023-2024) **REDUCED SIZE PLATES/MODIFIED UTILITY VEHICLES**. Filed Apr 5 2023, *AN ACT REQUIRING THE DIVISION OF MOTOR VEHICLES TO PROVIDE SUITABLY REDUCED SIZE LICENSE PLATES TO REGISTERED OWNERS AND DEALERS OF MODIFIED UTILITY VEHICLES*.

Amends GS 20-63 and GS 20-79 as title indicates, effective October 1, 2023.

Intro. by Alexander, Jarvis.

GS 20

[View summary](#)

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

S 607 (2023-2024) **TEMPORARY SOLUTIONS PROGRAM CHANGES**. Filed Apr 5 2023, *AN ACT RELATING TO THE TEMPORARY SOLUTIONS PROGRAM*.

Makes various changes to the Temporary Solutions Program for state agency temporary employment in GS 126-63. Restricts temporary employees to an 11-month term and imposes a mandatory 31-day break in service before any additional temporary work employment. Requires the Office of State Human Resources (OSHR) to prohibit new temporary employees at any state

agency owing an invoice to OSHR that is 90 days or more overdue or in excess of \$200,000. Provides exceptions for full-time students, retired employees, inmates on work-release, interns, or externs, and empowers the director of OSHR to create exceptions to the requirements if they would be in the best interest of the State and would not result in extending the temporary employment past 22 months. Requires Cabinet and Council of State agencies to send a notification of the 31-day break before an employee exceeds the 11 consecutive months. Requires OSHR to report quarterly, beginning July 1, 2023, to the Joint Legislative Oversight Committee on General Government and to the Fiscal Research Division on agency compliance and policies and rules adopted under the section. Provides definitions applicable to the section. Sets out record keeping requirements.

Effective when it becomes law, and any employee at that time who has reached 11 months of temporary employment must take a 31-day break in service or be separated from employment if not covered by a exemption.

Intro. by Alexander, Jarvis, Ford.

[GS 126](#)

[View summary](#)

Government, State Agencies, Office of State Human Resources (formerly Office of State Personnel), State Government, Executive, State Personnel

S 608 (2023-2024) [PROPERTY TAX MODIFICATIONS](#). Filed Apr 5 2023, *AN ACT TO MODIFY THE MACHINERY ACT OF NORTH CAROLINA*.

Amends GS 105-275 (Property classified and excluded from the tax base) to create a new classification excluded from tax, qualified business property, which is personal property that when fully functional would be used for production of income or in connection with a business, but due to malfunction or nonfunction has a value not greater than scrap. Amends GS 105-307 (Length of listing period; extension; preliminary work) to extend the period for listing property for taxation to April 15 (was, January 31), and to repeal the general extensions provisions of subsection (b). Amends subsection (c) to allow for grants of individual extensions if the county has provided for electronic listing of personal property under GS 105-310.1, and limits the extension time to no later than June 1.

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

Intro. by Alexander.

[GS 105](#)

[View summary](#)

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

S 609 (2023-2024) [NC SEMIQUINCENTENNIAL LEGISLATIVE COMMISSION](#). Filed Apr 5 2023, *AN ACT TO ESTABLISH THE NORTH CAROLINA SEMIQUINCENTENNIAL LEGISLATIVE COMMISSION*.

Identical to [H 407](#), filed 3/16/23.

Establishes the eight-member NC Semiquicentennial Legislative Commission (Commission) to plan for the observance of the semiquicentennial of the American Revolution in NC. The Commission is required to coordinate with the North Carolina USA 250th Committee and the Department of Natural and Cultural Resources to make recommendations for the observance. Recommendations shall include any proposed legislation or appropriation appropriate to carry out the recommendations. Provides for Commission membership, meetings, member expenses, and staff. Grants the Committee powers regarding information, data, or document requests of State officers, agents, agencies and departments that is the same of legislative committees set forth in GS 120-19. Requires the Commission to submit interim reports by December 1 annually, beginning

December 1, 2023, and a final report by April 15, 2031, to the specified NCGA committee chairs. Terminates the Commission on the earlier of April 15, 2031, or the submission of the report.

Intro. by Alexander.

UNCODIFIED

[View summary](#)

Government, Cultural Resources and Museums, General Assembly

S 610 (2023-2024) **RET. SVC. PURCHASE/COMPANY OFFICERS**. Filed Apr 5 2023, *AN ACT ALLOWING FOR THE PURCHASE AT FULL COST OF UP TO FIVE YEARS' CREDITABLE SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR SERVICE AS A COMPANY POLICE OFFICER.*

Permits a person who served as a company police officer under GS Chapter 74E to purchase up to five years of creditable service from either the Teachers and State Employees Retirement System (TSERS) or Local Government Employees Retirement System (LGERS) if they are a current member and have completed at least five years of service in the system. Amends GS 135-4 to add new subsection (k2), outlining eligibility, the requirement for a lump sum payment, and the calculation to be performed by the TSERS Board of Trustees when calculating the appropriate amount to charge for purchase of the creditable service. Amends GS 128-26 to establish the same eligibility, lump sum, and calculation requirements for purchase of LGERS creditable service.

Effective July 1, 2023.

Intro. by Alexander.

GS 128, GS 135

[View summary](#)

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

S 611 (2023-2024) **FUNDS FOR GENESIS PROJECT**. Filed Apr 5 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE GENESIS PROJECT FAMILY WELLNESS CENTER IN CHARLOTTE.*

Appropriates \$100,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to Genesis Project Family Wellness Center Inc. to assist with renovations and service provision. Effective July 1, 2023.

Intro. by Waddell.

APPROP, Mecklenburg

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

S 612 (2023-2024) **FUNDS FOR SECOND WARD MUSEUM**. Filed Apr 5 2023, *AN ACT TO APPROPRIATE FUNDS TO UPFIT THE SECOND WARD MUSEUM.*

Appropriates \$100,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to the Second Ward High School National Alumni Foundation as title indicates. Effective July 1, 2023.

Intro. by Waddell.

APPROP

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Office of State Budget and

S 613 (2023-2024) [SEDIMENTATION BUFFER FOR TROUT WATERS](#). Filed Apr 5 2023, *AN ACT TO PROVIDE FOR A TWENTY-FIVE-FOOT BUFFER FOR CERTAIN AGRICULTURAL ACTIVITIES IN PROXIMITY TO STREAMS CLASSIFIED AS TROUT WATERS*.

Amends GS 113A-52.01 to add new subsection (b), requiring a 25-foot undisturbed, vegetated buffer zone between waters classified as trout waters by the Environmental Management Commission and any agricultural related land-disturbing activities as defined GS 113A-52.01(a). Allows the Commission to approve plans within this 25-foot buffer when the disturbance would be temporary and the extent of the disturbance would be minimal. Makes a corresponding change to subsection (a) of that section.

Effective and applies to activities initiated on or after January 1, 2024.

Intro. by Moffitt, B. Newton, Rabon.

[GS 113A](#)

[View summary](#)

[Environment, Environment/Natural Resources](#)

S 614 (2023-2024) [COMM. HEALTH WKRS./MATERNAL HLTH. DISPARITIES](#). Filed Apr 5 2023, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, OFFICE OF RURAL HEALTH, TO ESTABLISH AND ADMINISTER A GRANT PROGRAM TO ENABLE FEDERALLY QUALIFIED HEALTH CENTERS AND FEDERALLY QUALIFIED HEALTH CENTER LOOK-ALIKES TO HIRE COMMUNITY HEALTH WORKERS DEDICATED TO ADDRESSING AND REDUCING DISPARITIES IN MATERNAL AND INFANT HEALTH OUTCOMES*.

Appropriates \$3.75 million in nonrecurring funds for the 2023-2024 fiscal year and \$3.75 million in nonrecurring funds for the 2024-2025 fiscal year from the General Fund to the Department of Health and Human Services, Division of Central Management and Support, Office of Rural Health (ORH) to be used to establish and administer a grant program that awards grants to federally qualified health centers (FQHCs) and federally qualified health center look-alikes (FQHC look-alikes) to hire and deploy community health workers to rural, medically underserved, and low-wealth areas of the state for the purpose of addressing and reducing racial and ethnic disparities in maternal and infant health outcomes.

Sets forth the following requirements and limitations on ORH in administering the grant program: (1) requires ORH to consult with the Office of Minority Health and Health Disparities and the North Carolina Community Health Worker Association in establishing an application process and eligibility requirements for the grant program; (2) the ORH must use these funds to award grants to up to FQHCs and FQHC look-alikes; (3) the ORH must give priority to FQHCs and FQHC look-alikes located in low-wealth areas of the State that (i) are medically underserved, (ii) have historically marginalized populations, (iii) have been disproportionately impacted by high rates of infant or maternal death, and (iv) are at higher risk of maternal-infant mortality; (4) no single grant award in any fiscal year may exceed \$450,000.

Requires grant recipients to use funds to hire community health workers, preferably from the communities being served, with knowledge of, and experience conducting community outreach into, rural or urban communities experiencing high maternal death rates, high infant mortality rates, or both, among minority populations, to perform the following functions: (1) to conduct community outreach and provide education to pregnant women at high risk of (i) pregnancy-related death within a year after giving birth or (ii) fetal, perinatal, or infant death. In conducting this outreach, the community health workers must make efforts to identify Medicaid members who either are not engaged in maternal or pediatric health care services available under the Medicaid program or are underutilizing these Medicaid services; (2) to disseminate printed information about high-risk maternal death; high-risk fetal, perinatal, and infant death; and the availability of services and resources for pregnant women to lower these risks; (3) to provide information about how to access doula services, prenatal care services available through FQHCs and FQHC look-alikes, maternal and pediatric health care services available to Medicaid beneficiaries, and prenatal and postpartum care for women with substance use disorders.

Permits the ORH to use up to \$250,000 of the allocated funds per fiscal year for administrative purposes related to the grant program. Requires ORH to submit a report the specified NCGA committee and Fiscal Research Division on the grant program,

with four specified matters that must be addressed by December 15, 2024.

Effective July 1, 2023.

Intro. by Robinson, Applewhite.

[APPROP](#)

[View summary](#)

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

S 615 (2023-2024) [ADOPTION LAW CHANGES](#). Filed Apr 5 2023, *AN ACT TO ALLOW ADULT ADOPTEES TO BE ADOPTED BY A FORMER STEPPARENT, THE REMOVAL OF CERTAIN REDACTION RESTRICTIONS FROM ADOPTION HOME STUDIES, AND THE EXPANSION OF ACKNOWLEDGMENT OPTIONS FOR AGENCY RELINQUISHMENTS FOR ADOPTION.*

Amends GS 48-1-101 (definitions of State adoption statute) to add defined term *former stepparent*. Amends GS 48-1-106, detailing the legal effect of adoption decree, as follows. Specifies that a decree of adoption will not affect the relationship between the child and the parent who is the stepparent's spouse or the stepparent's former spouse in any of the following circumstances: (1) an adoption by a stepparent; (2) an adoption of an adult adoptee by a former stepparent who is unmarried or whose current spouse does not join in the petition; and (3) a readoption pursuant to GS 48-6-102 (readoption after a stepparent adoption). (Currently does not provide for adult adoptions by former stepparent.) Makes conforming changes. Makes conforming changes to GS 48-5-101 (pertaining to who has standing to file a petition to adopt an adult) to provide for a former stepparent to do so. Makes technical change.

Amends GS 48-3-202(b) (pertaining to preplacement assessments for minor adoptions) to provide that the information described in GS 48-3-303(c)(12) may be redacted and makes technical changes. (Currently provides that the agency preparing the preplacement assessment may make the redactions.) Similarly amends GS 48-3-303(c)(12) to remove reference to agency preparing the preplacement assessment as the party authorized to make redactions and makes technical changes.

Amends the procedures for relinquishment of a minor for adoption (GS 48-3-702) to incorporate the identification procedures identified in GS 48-3-605(h) (procedures relating to execution of consent) to a relinquishment executed under GS 48-3-702.

Effective October 1, 2023.

Intro. by Galey, Barnes, Krawiec.

[GS 48](#)

[View summary](#)

Courts/Judiciary, Civil, Family Law

S 617 (2023-2024) [ATV SAFETY COURSE WARNING LABEL EXCEPTION](#). Filed Apr 5 2023, *AN ACT TO AMEND THE MOTOR VEHICLE LAWS OF THE STATE TO AUTHORIZE AN EXCEPTION TO THE AGE RESTRICTION WARNING LABEL FOR ALL-TERRAIN VEHICLE SAFETY COURSE.*

Amends GS 20-171.15 addressing the minimum age for operating all-terrain vehicles (ATVs) that have Age Restriction Warning Labels nationally required and affixed to the vehicle by the manufacturer. Provides that the age 16 minimum does not apply to required safety training courses if an instructor determines that the weight or height of the underage person requires the use of the vehicle that does not comply with the Age Restriction Warning Label.

Intro. by Jarvis, Johnson.

[GS 20](#)

[View summary](#)

Courts/Judiciary, Motor Vehicle

Amends GS 159B-39, which addresses permitted uses of revenue from electric power rates. Amends the statute so that it applies only to cities and towns that are members of a municipal power agency; removes specifically identified cities and towns. Effective July 1, 2026.

Intro. by Johnson.

[GS 159B](#)

[View summary](#)

[Government, Local Government, Public Enterprises and Utilities](#)

Section 1

Adds the following defined terms to GS 7B-101, applicable to Subchapter I, Abuse, Neglect, Dependency. Defines *judicial official* as a magistrate, clerk, judge, or justice. Defines *legal counsel for department* as an attorney representing the department (the county child welfare agency) in proceedings under Subchapter I, regardless of whether the attorney is a county attorney, department attorney, or contract attorney.

Section 2

Amends GS 7B-302, GS 7B-303, and GS 7B-403, requiring the following petitions to be prepared by legal counsel for the department: petitions to invoke jurisdiction for the protection of a juvenile alleged to be abused, neglected or dependent (or any other juvenile in the home); petitions requesting an order directing a named respondent cease obstruction or interference with the assessment of a report of a juvenile alleged to be abused, neglected, or dependent; and petitions to file a report of alleged abuse, neglect, or dependency.

Further amends GS 7B-303, making the evidentiary standard at hearings on petitions regarding obstruction or interference with an assessment "clear and convincing," rather than "clear, cogent, and convincing."

Further amends GS 7B-403, requiring reports alleging abuse, neglect, or dependency that are filed as petitions to be signed by the director.

Makes the above provisions effective January 1, 2024.

Section 3

Enacts GS 7B-302.1, listing ten instances in which a conflict of interest is deemed to exist at the department for an abuse, neglect, or dependency report, including, among others, (1) when the report involves an employee of the county department, a relative of an employee of the child welfare division of the county department, or, at the director's discretion, a relative of an employee of the county department; (2) when the report involves a foster parent supervised by the department; and (3) when the report involves a juvenile in custody of the department who is also a parent or caretaker. Requires the director that receives the report where the conflict exists to (1) request that another county department conduct the assessment, and (2) notify the Division of Social Services of the Department of Health and Human Services (DSS; DHHS) of the conflict and the county that accepted the report for assessment. Requires the director to notify DSS upon making requests of two or more other counties whereby no other county is willing or able to accept the case for assessment. Directs DSS to evaluate the conflict and determine whether the county with the conflict is able to manage the case by obviating the conflict; appoint another county to assume management; and determine which county bears the financial responsibility when another county is appointed to manage the case. Establishes written notice requirements for the department with the conflict to inform the parent, guardian, custodian, or caretaker of the conflict and the county that assumes case management, along with the contact information for the DSS complaint line. Allows a parent, guardian, custodian, juvenile, or their representative to seek to have their case transferred to another county by contacting the DSS complaint line if a department has a conflict of interest at the time of the report or at any time during case management, whereby DSS must apply the statute's provisions.

Amends GS 7B-400(c), regarding a pre-adjudication change of venue, to allow substitution of petitioners due to a conflict of interest under new GS 7B-302.1.

Makes the above provisions effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Section 4

Amends GS 7B-401.1 to allow a current caretaker or current foster parent providing care for the juvenile to intervene in the case if the current caretaker or current foster parent has authority to file a petition to terminate the parental rights of the juvenile's parents under GS 7B-1103 (current law allows intervention by a foster parent but not a current caretaker). Makes organizational changes.

Makes the above provisions effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Sections 5 and 6

Amends GS 7B-502 to explicitly condition a judge's authority to issue nonsecure custody orders upon the filing of a juvenile petition under GS 7B-405. Replaces the existing authority of a chief district court judge to delegate the court's authority to other persons by administrative order to instead authorize delegation to any magistrate by administrative order, filed in the office of the clerk of superior court. Enacts a new requirement for counties to have a judge or delegated magistrate available at all times with whom the department can file a juvenile petition in order to seek nonsecure custody of a juvenile. Makes a conforming change to GS 7B-506.

Section 7

Amends GS 7B-508, which authorizes communications relating to temporary custody or nonsecure custody to be made by telephone when other means are impractical, to require a copy of the petition to be provided to the judge or magistrate who is delegated authority by GS 7B-502 by any appropriate secure method, including hand delivery, fax, or encrypted electronic means. Modifies the requirements of written orders made pursuant to telephonic communication to now require the order to bear the title of the person requesting and receiving telephonic approval, the name and title of the judge or magistrate approving the initial nonsecure custody order, the signature and title of the judicial official entering the order, and the hour and date of the authorization.

Section 8

Amends GS 7B-600, authorizing the court to appoint co-guardians of a juvenile. Enacts a new subsection, (b2), allowing for a co-guardian to file a motion for a review hearing under GS 7B-906.1 when the relationship between permanent co-guardians dissolves. Requires the court to consider the needs of the juvenile and enter an order addressing the guardianship and whether it is in the best interest of the juvenile. Authorizes the court to maintain the placement or order any disposition authorized by GS 7B-903. Allows the court to terminate the permanent guardianship of one or both co-guardians based on the dissolution of their relationship and the best interest of the juvenile. Authorizes the court to maintain the co-guardianship and modify the order to address physical and legal custody of the juvenile. Requires the court to consider whether custody rather than guardianship is in the juvenile's best interest, and if so, enter a custody order under GS 7B-911. Clarifies that the grounds for termination of a guardianship under subsection (b) apply to the termination of a permanent guardianship, and adds the dissolution of the relationship between co-guardians described in new subsection (b2) to the grounds for termination.

Section 9

Amends GS 7B-602 to no longer require appointment of a guardian ad litem to represent a parent who is under 18 and not married or otherwise emancipated. Specifies that a parent cannot be found incompetent solely due to the parent being an unemancipated minor. Effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Enacts GS 7B-604, creating a new requirement for each county department of social services to be represented by legal counsel in proceedings governed by Subchapter I (Abuse, Neglect, Dependency). Requires an attorney representing the department to receive six hours of training addressing State and federal child welfare law and procedures, prior to initial representation, and six hours of continuing legal education addressing child welfare law annually thereafter. Effective January 1, 2024.

Section 10

Amends GS 7B-903.1(c), regarding required observation visits with juvenile and the parent, guardian, custodian, or caretaker from whom the juvenile was removed, to specify that the department can recommend unsupervised visits or return of physical custody of the juvenile, whichever occurs first. Effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Section 11

Amends GS 7B-903.2 to remove DHHS from the parties or entities that can make a limited appearance for the sole purpose of filing a motion regarding a juvenile's continued stay in an emergency department or subsequent hospital admission when the requirements of GS 122C-142.2(b) through (f1) (concerning juveniles presenting to a hospital for mental health treatment; as amended) have not been satisfied. Makes conforming changes to remove DHHS from the entities that automatically become a party to the proceeding for the limited purpose of participating in related hearings. Instead, establishes that DHHS, as a supervising principal of the county department, must be provided the opportunity to be heard of any motion filed related to the continued stay or subsequent admission. Provides for service of the motion on the hospital, LME/MCO or PHP, and DHHS in accordance with GS 1A-1, Rule 4. Enacts a new subsection to allow information regarding any failure of a hospital to cooperate in providing access to the juvenile under GS 122C-142.2 to be provided to the court as evidence in a hearing on the motion of a defense for the alleged violation by the department or LME/MCO or PHP. Now requires the motion to be heard within five business days of filing. Changes the evidentiary standard to whether there is clear and convincing evidence that the juvenile has met hospital discharge criteria and that the responsible party has not satisfied the requirements of GS 122C-142.2(b) through (f1), as amended (was, that there is no medical necessity for the juvenile to remain in the hospital). Allows the court to order the responsible party to pay reasonable hospital charges for the juvenile's continued stay (was, admission) at the hospital incurred after the date the juvenile met hospital discharge criteria. Makes conforming changes. Adds new a new provision establishing that dismissal of the motion due to the juvenile's discharge and placement does not preclude a separate cause of action for monetary damages.

Section 12

Amends GS 7B-906.1, which sets forth procedures for review hearings and permanency planning hearings.

No longer designates hearings where custody has not been removed from a caretaker as a review hearing. Instead designates hearings where the juvenile was residing with a caretaker at the time the petition was filed as a permanency planning hearing.

Regarding the required criteria the court must consider at each hearing, requires the court to schedule a permanency planning hearing within 30 days if the juvenile is removed from the custody of the parent, guardian, or custodian (no longer waiving the requirement if the hearing was noticed and heard as a permanency planning hearing).

Establishes criteria that must be satisfied for an order that removes the juvenile from a parent, guardian, or custodian to be made, requiring, after the completion of the initial disposition or prior to the review hearing: (1) at least one factor required for nonsecure custody under GS 7B-503(a)(1) through (a) (4) has occurred, or at least one factor specified in GS 7B-901(c), which provides grounds for ceasing reunification, has occurred and the juvenile has experienced or is at substantial risk of experiencing physical or emotional harm as a result; or (2) the parent, guardian, or custodian consents to the order of removal. Establishes that the purpose of review hearings is to review the progress of the parent, guardian, or custodian with their court-ordered services. Mandates the parent, guardian, or custodian to complete court-ordered services within 12 months from the date of the filing of the petition, demonstrate that circumstances precipitating the department's involvement with the family have been resolved to the satisfaction of the court, and provide a safe home for the juvenile. Requires the court to terminate jurisdiction (was, waive future review hearings), absent extraordinary circumstances, when the parent, guardian, or custodian has successfully completed the court-ordered services and the juvenile is residing in a safe home.

Makes a clarifying change by specifying that the provisions of subsection (i), relating to a court's review of a juvenile's placement, apply to permanency planning hearings. Amends subsection (k) to refer to permanency planning review hearings (was, periodic judicial review of placement). Adds that the court cannot refuse to conduct a permanency planning hearing if a party files a motion seeking a hearing. Revises subsection (k1) to prohibit a court from refusing to conduct a review hearing if a party files a motion seeking the review, no longer qualifying that the party must allege a significant fact. Expands subsection (l), making GS 7B-903.1 apply to a court ordering or continuing placement in the custody or placement responsibility of the department.

Makes changes to subsection (n) to clarify that the provisions apply to permanency planning hearings, now allowing the court to waive the hearings, require written reports in lieu of the hearings, or order less frequent hearings, if the court finds five

criteria exist, by clear and convincing evidence (was, by clear, cogent, and convincing evidence). Changes two of the criteria to include: (1) that the juvenile has resided in the placement for at least one year or the parties are in agreement (was, or the juvenile has resided in the placement for at least six consecutive months), and the court enters a consent order; and (2) that the parties are aware that the matter may be brought before the court for review at any time by filing a permanency planning or modification motion (was, by filing a motion for review) or on the court's own motion. Makes technical changes.

Enacts new subsection (b1) to GS 9B-906.2, requiring the department to file a motion prior to any change in placement for a juvenile who has been residing with a relative or a nonrelative caretaker when there are not relatives who are willing and able to provide proper care and supervision to the juvenile in a safe home for 12 consecutive months, when the caretaker objects to the juvenile's removal. Establishes criteria for filing such a motion, including: (1) the juvenile must be in department custody; (2) adoption must be the primary permanent plan; and (3) the current caretaker must have notified the department of their desire to adopt the juvenile. Requires court review within 10 days of filing. Provides for notice to all parties, their attorneys, and the caretaker. Provides the caretaker with an opportunity to address the court, but prohibits making the caretaker a party solely based on the right to be heard. Details evidence the court may consider and required the court to determine if removal is in the best interest of the juvenile. Excludes from the new provisions cases where there are allegations of abuse or neglect of the juvenile under the care and supervision of the caretaker. Enacts new subsection (f) to require the court to advise a guardian or custodian of the right to seek child support after an order awarding permanent guardianship or custody has been entered.

Makes the above provisions effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Section 13

Repeals GS 7B-904(d), which grants a court authority at the dispositional hearing or a subsequent hearing to order a parent, upon finding the parent is able, to pay reasonable child care costs to support the juvenile when legal custody of the juvenile is vested in someone other than the parent, with costs borne upon the department with custody if the parent is unable to pay.

Amends GS 7B-1109, establishing the evidentiary standard at adjudicatory hearings on the termination of parental rights to be "clear and convincing evidence," rather than "clear, cogent, and convincing evidence."

Amends GS 7B-1111, changing the grounds for terminating parental rights as follows. Regarding abuse or neglect as grounds for termination, adds that neglect includes a biological or possible biological father of a child born out of wedlock who within three months of the child's birth or within 30 days of the discovery that the mother committed fraud in concealing her pregnancy or the birth, whichever is greater, has not made efforts to acknowledge or establish his paternity and formed or attempted to form a relationship with the child. Repeals the following grounds for termination: (1) placement of the juvenile with the department, a licensed child placing agency, a child-caring institution, or a foster home, and the parent, being able, willfully failed to pay the reasonable costs of care for six months preceding filing of the petition; (2) one parent having custody of the juvenile and the other parent has willfully failed to pay for the care, support, and education of the child as required by decree or agreement for at least one year; and (3) the father of a juvenile born out of wedlock has failed to establish or legitimate paternity through one of five described actions prior to the filing of the petition or motion.

Amends GS 7B-1114 to allow the parent whose rights have been terminated to file a motion to reinstate the parent's rights (currently limited to the juvenile, the guardian ad litem attorney, or a department with custody of the juvenile), subject to the existing three conditions specified for motions for reinstatement. Makes conforming changes.

Section 14

Amends GS 48-3-601, which defines person who must execute consent to an adoption. For consent required to be executed by men who may or may not be the biological father of the minor, requires consent for, among other descriptions, men who: (1) have legitimated the minor under the law of any state before the filing of the adoption petition or within three months of the child's birth, whichever is greater (previously required before the filing of the petition); (2) have acknowledged his paternity of the minor, and is either obligated to support the minor by agreement or court order, has provided or attempted to provide reasonable and consistent payments for support during or after pregnancy or of the minor, or has married or attempted to marry the mother of the minor after the minor's birth but before placement for adoption or mother's relinquishment, before the greater of the filing of the petition, within three months of the child's birth, or within 30 days of the discovery that the mother committed fraud in identifying the father or withheld the known identity of the father, or the date of a hearing held under GS 48-2-206 (previously, required before the earlier of the filing of the petition or the date of a hearing held under GS 42-2-206); or (3) have received the minor into his home and openly held out the minor as his biological child before filing the petition or within three months of the child's birth (previously, required before filing of the petition).

Section 15

Amends GS 122C-142.2 concerning presentation of a juvenile at a hospital for mental health treatment. Changes the definition of a "director" to mean the director of the county department with custody of the juvenile, or their representative (was, the director of the county department in which the juvenile resides).

Upon a juvenile in the custody of a county department presenting to a hospital emergency department for mental health treatment, requires the hospital to contact and notify the director of the juvenile's presentment. Requires the director to contact the appropriate LME/MCO or PHP as soon as practicable, not later than 24 hours, of the juvenile's stay in the hospital to request an assessment (previously, required contact within 24 hours of the determination that the juvenile should not remain at the hospital and no appropriate placement is immediately available, to request an assessment). Shortens the time within which the LME/MCO or PHP must arrange for the assessment to within 48 hours following notification from the director (was, within five business days). Adds a new requirement for the hospital to cooperate with the LME/MCO or PHP to provide access to the juvenile during the juvenile's stay in the hospital. Following the assessment, requires placement, as determined by the director, as soon as practicable and not later than five business days (was, within five business days). Adds a new subsection (d1), prohibiting the hospital from releasing the juvenile unless (1) the juvenile meets hospital discharge criteria; (2) the placement as recommended by the assessment is available; or (3) there is consent of the juvenile or director authorized to consent to treatment pursuant to GS 7B-505.1.

Revises the provisions of subsection (f), regarding required notification of DHHS's Rapid Response Team when the director or LME/MCO or PHP is unable to identify an appropriate available placement after completion of the assessment, or the assessment recommendations differ. Instead requires the director, an LME/MCO or PHP to notify the Rapid Response Team (Team), as defined, if any one of four described circumstances exists, including: (1) the anticipated inability to identify an appropriate available placement or provider; (2) the assessment recommendations differ from the preferences of the individual or director authorized to consent to treatment under GS 7B-505.1 or from services readily available; (3) there are delays in accessing needed behavioral health assessments; or (4) the juvenile has been released in violation of required criteria under new subsection (d1). Organizes disclosure authority into new subsection (f1), and expands the authority to allow LME/MCOs and PHPs, in addition to directors, to disclose confidential information as to the Team. Upon notification, requires the Team to determine if action is necessary to address the immediate needs of the juvenile, and if determined necessary, requires the Team to develop a plan with the LME/MCO or PHP regarding steps to meet the juvenile's treatment needs. Eliminates the previously examples of responses. Requires any plan to include monitoring the plan's implementation.

Enacts new subsection (h) to limit Team meetings to members of the Team and individuals from relevant county departments, LME/MCOs, and PHPs that are invited by the Team. Deems meetings not public and all information shared or created at meetings or as response not public record. Bars disclosure or redisclosure of information unless authorized by state or federal law. Enacts new subsection (i), establishing a monthly reporting requirement for LME/MCOs and PHPs, notifying DSS of the number of county department notifications of assessments, the length of time to find placement, and the number of recommendations at each level of care.

Section 16

Cites the section's provisions as "Christal's Law."

Enacts GS 108A-74(a5), granting the Secretary of the DHHS authority to: have access to records and information pertaining to any open or closed child welfare case of the department; inquire into and review any county social work practice; or inquire into and review the legal representation of the county or regional department as it pertains to the delivery of child welfare services for a particular child welfare case or all child welfare cases of the department. Provides that the authority may be exercised as part of regular performance monitoring, or in response to complaints to DHHS regarding a juvenile who has been the subject of a report of abuse, neglect, or dependency within the previous 12 months, or a case in which the juvenile or their family was a recipient of child welfare services within the previous 12 months. Directs the Secretary to notify the respective county board of commissioners, the county manager, and the board of social services upon finding violations of state law or rules occurring in any specific case or cases, and direct the director to remedy the violation by taking immediate action as prescribed by the Secretary. Deems no other authorities of the Secretary affected by these provisions.

Section 17

Makes the following changes to GS Chapter 48 concerning adoptions.

Enacts GS 48-3-708 to allow a parent(s) of a minor adoptee and the prospective adoptive parent(s) to voluntarily participate in a court-approved mediation program to reach a voluntary mediated post-adoption contact agreement, prior to executing a relinquishment. Adds that a biological parent under 18 has legal capacity to enter such agreement and is fully bound by the agreement as if 18 or older. Directs AOC to develop and make available appropriate forms for implementation. Establishes venue for approval and enforcement of agreements as the district court having jurisdiction under GS Chapter 7B. Allows others to be invited to participate in mediation by mutual consent of the parent(s) executing relinquishment and the prospective adoptive parent(s), but bars making such invitees parties or receiving copies of any agreement. Deems proceedings and related information confidential and prohibits disclosure of any information or statements of participants. Provides that otherwise admissible evidence is not rendered inadmissible. Prohibits making a record of the proceedings and requires the mediator to destroy their notes immediately after mediation. Provides for court review of the agreement to determine whether the agreement will be incorporated into the court order. Requires a closed hearing; limits parties to those executing the agreement; and does not grant a right to appointed counsel. Requires court approval of the agreement if the court finds the agreement is in the best interests of the child, based on five described factors, and that the agreement was entered into knowingly and voluntarily by all parties, supported by an affidavit. Sets forth four statements that must be included in the agreements, and requires enforceable agreements to be written, approved by the court prior to relinquishment, and incorporated into any adoption decree to survive as an independent agreement. Deems the agreement unenforceable upon the child turning 18 or otherwise becoming emancipated. Grants the issuing court continuing jurisdiction over the agreement's enforcement. Provides for a party to file a motion for review to modify, enforce, or discontinue the agreement and describes procedures for a review. Deems an order for modification, enforcement, or discontinuance the sole remedy for breach of the agreement. Details restrictions and limitations of orders for modification. Authorizes the court to impose appropriate sanctions. Specifies that the statute does not abrogate the rights of the adoptive parents except as provided in the agreement.

Amends GS 48-1-101 to define post-adoption contract agreement and order.

Amends GS 48-1-106 to authorize former parents to exercise rights established in a post-adoption contact agreement and order.

Amends GS 48-2-100 to grant the district court jurisdiction over post-adoption contact agreements and orders. Amends GS 48-2-102 to reflect the court's retained jurisdiction pursuant to new GS 48-3-708.

Amends GS 48-2-607 to explicitly prohibit setting aside a final order of adoption due to failure of an adoptive parent, former parent, or adoptee to follow the terms of a post-adoption contact agreement and order.

Amends GS 48-3-702 to require the individual before whom a relinquishment is signed to certify that original or copy of the post-adoption contact agreement and order has been given to the parent, guardian, or minor to be adopted executing the relinquishment.

Amends GS 48-3-703 and GS 48-3-705, regarding the mandatory provisions of relinquishment and their consequences, to exclude rights and duties contained in a post-adoption contact agreement and order from termination.

Amends GS 48-3-706, establishing that if any person is a party to the post-adoption contact agreement and revokes the relinquishment, the post-adoption contact agreement and order are void; excludes persons with physical custody who relinquishes a minor and thereafter revokes the relinquishment pursuant to subsection (b).

Amends GS 7B-9-102 to deem post-adoption contact agreements not open for inspection by any person other than the parties to the agreement or their attorneys pending review by the court to determine whether the agreement will be incorporated into a court order.

Amends GS 7B-401.1 to require a parent who has relinquished the juvenile for adoption and has entered a post-adoption contact agreement and order pursuant to new GS 48-3-708 to be made a party to a petition filed alleging that the juvenile is abused, neglected, or dependent.

Amends GS 7B-908 to require a parent who has relinquished the juvenile for adoption and entered a post-adoption contact agreement and order to be given notice of placement reviews post-termination of parental rights. Adds that the parent who has relinquished the juvenile and entered a post-adoption contact agreement and order has the right to participate in the review hearings, except as directed by the court.

Makes the above provisions effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Amends GS 7B-323, which allows for judicial review a director's determination of abuse or serious neglect and identification of a responsible individual upon the identified individual filing a petition for review. Now allows for review if less than one year has passed since the person's placement on the responsible individuals list and if the review serves the interest of justice or for other good cause (previously, permitted review at any time if the review serves the interests of justice or for extraordinary circumstances).

Enacts GS 7B-325 to allow a person whose name has been placed on the responsible individuals list to file a petition for expungement if three conditions are satisfied: (1) one year has passed since placement without judicial review, though eligible; (2) at least three years have passed since placement after judicial review; and (3) at least five years have passed since the person, who was criminally convicted for the same incident completed their sentence, complied with all post-release conditions and has not been convicted of any offense other than a traffic violation. Disqualifies persons whose conviction related to sexual abuse of a child, human trafficking, or a child fatality related to abuse or neglect. Details procedures related to the petition, including requiring filing with the district court in the county in which the abuse or serious neglect report arose; notifying the director of that county; maintaining a separate docket for these actions; and calendaring the matter for hearing within 45 days or at the next session of juvenile court. Requires closing the hearing at the request of a party. Provides for evidence the court may consider. Requires the hearing to be before a judge and without a jury. States preserved rights of the parties. Lists factors the court must consider in determining whether to grant the petition, including the nature of the offense and the amount of time since placement on the list. Authorizes the court to grant the petition upon finding, by clear and convincing evidence, that there is little likelihood that the petitioner will be a future perpetrator of child abuse or neglect. Requires the court to enter the order within 30 days of the hearing. If granted, the court must order the director to expunge the individual's name from the responsible individuals list.

Makes the above provisions effective October 1, 2023, and applicable to all actions filed or pending on or after that date.

Intro. by Krawiec, Jarvis, Batch.

[GS 7B, GS 48, GS 108A, GS 122C](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Court System, Administrative Office of the Courts, Government, State Agencies, Department of Health and Human Services, Local Government, Health and Human Services, Mental Health, Social Services, Child Welfare](#)

S 633 (2023-2024) [MOBILE HOME PARK ACT](#). Filed Apr 5 2023, *AN ACT TO ENACT THE "MOBILE HOME PARK ACT" TO PROVIDE PROTECTIONS FOR MOBILE HOMEOWNERS AND MOBILE HOME PARK MANAGEMENT AND TO DIRECT THE NORTH CAROLINA HUMAN RIGHTS COMMISSION TO REGULATE MOBILE HOME PARKS AND RESOLVE DISPUTES.*

Enacts Article 8, GS Chapter 42, to be cited as the Mobile Home Park Act. Sets the scope of the Article to apply to mobile homes only, defined as a single-family dwelling built on a permanent chassis designed for long-term residential occupancy and containing complete electrical, plumbing, and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation, which is capable of being drawn over public highways as a unit, or in sections by special permit; or a manufactured home, as defined in GS 143-143.9(6), if the manufactured home is situated in a mobile home park. Includes 11 other defined terms. Provides that the Article's provisions supersede conflicting provisions of the Chapter unless indicated otherwise.

Requires a written lease or rental agreement prior to any tenancy or other lease or rental occupancy of space in a mobile home park, defined as a parcel of land used for the continuous accommodation of five or more occupied mobile homes and operated for the pecuniary benefit of the owner of the parcel of land or the owner's agents, lessees, or assignees; includes noncontiguous land parcels that are a part of the same subdivision, but excludes mobile home subdivisions or property zoned for manufactured home subdivisions. Requires notice of quit to be delivered to the homeowner or affixed to the mobile home's main entrance prior to termination of tenancy, with notice given within the time line required for tenancies under GS 42-14, based on the lease term, and include the reason for termination. Limits grounds for termination to five described circumstances, including conduct of the homeowner on the premises that constitutes annoyance to other homeowners or

interference with park management; failure of the homeowner to comply with written rules and regulations of the mobile home park in the rental agreement or its amendments; and certain dangerous or criminal conduct of the homeowner, lessee, their guests, or associates. Requires an action for termination be commenced in the manner of other tenancies as described in GS 42-26. Requires the homeowner be given at least 90 days to sell the mobile home or remove any mobile home from the premises from the date the notice is served or posted, unless (1) the occupant is not the owner and the occupancy is contrary to the rules and regulations of the landlord, in which case 30 days' notice is required or (2) conduct of the homeowner, lessee, or their guests or associates on the premises constitutes grounds for termination under new GS 42-85(a)(5), including that which endangers the landlord or other persons on the premises, constitutes willful damage or destruction of property on the premises, constitutes criminal activity, or is the subject of a pending action for public nuisance, in which case 10 days' notice is required. Voids any waiver of notice. Includes specific requirements for notice regarding noncompliance with rules and regulations regarding a statutorily required 30-day period to cure noncompliance.

Establishes notice requirements of the owner of the mobile home park to the homeowners in the event of the mobile home park being the subject of a condemnation proceeding or acquisition by a governmental agency, and of the landlord when the landlord desires to change the use of the park that would result in eviction of inhabited mobile homes. Allows homeowners to file a complaint with the NC Human Rights Commission (Commission), as provided in the Article in GS 42-108, or bring a cause of action against a landlord, if the landlord makes any oral or written statement threatening eviction for violations or actions that are not one of the five permitted grounds for termination under the Article. Allows the court to award a statutory penalty of up to \$20,000 to the homeowner in addition to other authorized remedies under the Article.

Details required options a landlord must provide to a homeowner within 30 days of a written demand when the landlord intends to change the use of the land of the mobile home park which would result in displacement of one or more mobile homes, including (1) payment of relocation costs to a location within 100 miles of the park and (2) submission of a binding offer to purchase the mobile home for greater of either a set amount for the home, based on section size and subject to annual adjustment by the Commission, or the appraised in-place fair market value. Defines in-place fair market value and relocation costs. Sets additional requirements and limitations regarding offers to purchase and appraisals under these provisions. Limits the remedies provided to homeowners who have not been otherwise given notice to terminate the homeowner's lease or rental agreement as of the date of the notice of the change in use. Voids any waiver of the remedies provided.

Places the burden upon the landlord to provide compliance with the Article's notice requirements for termination. Provides defenses for the homeowner to include that the landlord's allegations are false or the grounds for termination are invalid.

Provides actions the landlord can take upon a homeowner's failure to pay rent when due, including payment of rent or removal of the homeowner's unit, with 10 days' required written notice. Requires 60 days' written notice to increase rent, as specified. Prohibits increasing rent when the mobile home park does not have a current registration with the Commission or has unpaid penalties or fees owed to the Commission, or the landlord has not complied with a Commission order. Voids any increase in violation of these provisions.

Sets forth a standard form for a notice of termination to be served at the same time and in the same manner of a notice to quit or a notice of nonpayment of rent. Requires the homeowner to appear in court to defend the eviction action. Gives a homeowner at least 48 hours to remove the mobile home and vacate the premises if the court rules in favor of the landlord or park management, and up to 30 days from the ruling if the homeowner prepays the landlord any amounts due and the pro rata share of rent for each day, unless the termination is due to conduct described in GS 42-85(a)(5), including that which endangers the landlord or other persons on the premises, constitutes willful damage or destruction of property on the premises, constitutes criminal activity, or is the subject of a pending action for public nuisance. Prohibits termination for the purpose of making the homeowner's space in the park available for another mobile home or trailer coach.

Authorizes homeowners to meet and establish a homeowners' association and assemble, free of charge, in the mobile home park's common areas at reasonable hours and when facilities are not in use. Allows charges for cleaning and repair of actual damages. Requires the landlord to host and attend up to two meetings per calendar year upon request by a homeowner or resident, subject to described notice requirements.

Allows the owner or owner's agent of a mobile home park to charge a security deposit of up to one month's rent, or two months' rent for multiwide units. Requires legal process be used for the collection of utility charges and incidental service charges other than those provided in the rental agreement, or eviction.

Describes remedies of the landlord associated with summary ejectment, including judgment for possession and a judgment for amounts owed to the landlord and any pro rata daily amount for the homeowner to remain on the premises after judgment. Requires service of a writ of possession by the sheriff in the same manner as other tenancies under GS 42-36.2. Includes required content of the judgments. Provides for extension of execution of the writ for limited situations relating to a safe removal of the mobile home. Provides for removal by the landlord and sheriff in the event removal is not completed within the time permitted by the writ, with limited liability and authority to charge reasonable removal and storage charges to any party. Accounts for security interests on the subject mobile home and notice to security holders.

Bars owners or owners' agents from paying or receiving from an owner or seller of a mobile home any entry fee of any type as a condition of tenancy in the mobile home park. Defines entry fee to exclude rent, security deposits, state or local government fees, utilities, incidental reasonable charges for services performed, late fees, or membership fees paid to join a resident or homeowner cooperative that owns the mobile home park. Prohibits the owner or owner's agent of a mobile home park from requiring or giving special preference for purchasing a mobile home from any particular seller. Prohibits mobile home sellers from conditioning a sale on the purchaser locating the home in a particular park or group of parks.

Prohibits landlords from requiring payment of a selling fee or transfer fees by a homeowner or prospective homeowner, as specified. Allows homeowners to place for sale signs on or in their mobile home, as specified. Permits charging application fees for prospective buyers buying a mobile home in-place and applying for tenancy in the mobile home park. Bars sellers from paying or offering other consideration to the mobile home park owner or their agent to reserve spaces or induce acceptance of one or more mobile homes in the mobile home park.

Establishes statutory maintenance and repair responsibilities of a landlord, and limitations of a landlord's responsibilities, concerning all landlord owned and provided utilities, accessory buildings and structures, and the mobile park premises. Sets notice requirements for service interruptions. Establishes a timeline for the landlord to remit moneys collected from residents for utilities under contract to the utility, and remedies for violations.

Sets annual notice requirements relating to individual charges for water usage in the mobile home park. Includes monthly billing requirements for water usage by homeowners and residents. Provides for instances of a water leak, including notice and billing requirements.

Prohibits mobile home park management from taking retaliatory action against a homeowner or resident who exercises any right conferred upon the homeowner or resident by the Article or other law. Establishes situations in which management's action is presumed retaliatory in an action or an administrative proceeding, with limited exceptions, which management may rebut with sufficient evidence of a nonretaliatory purpose. Prohibits management from (1) harassing, intimidating, or threatening, or attempting to harass, intimidate, or threaten, any person for filing or attempting to file a complaint, joining or attempting to join an association of residents or homeowners, engaging in activities to promote the organizing and education of residents and homeowners, or voting or attempting to vote on a matter before the association of residents or homeowners or (2) coercing or requiring a person to sign an agreement.

Requires the terms and conditions of a tenancy to be adequately disclosed in writing in a rental agreement by the management to any prospective homeowner prior to rental or occupancy of a mobile home space or lot, which must be signed by both parties with copies provided to each party. Specifies required disclosures and sets conditions for a rental agreement, including that the standard agreement is a month-to-month tenancy. States five prohibited provisions, including binding homeowners to arbitration. Deems it a violation of the Article to require a homeowner to sign a new lease or agreement that violates these requirements and limitations, or to mislead a homeowner about their obligation to sign a new lease or agreement.

Requires management to adopt written rules and regulations concerning all homeowners' or residents' use and occupancy of the premises, with criteria rules and regulations must meet to be enforceable. Details requirements for rules or regulations which require homeowners to incur a cost or impose restrictions or requirements on their right of control of their mobile home and any accessory buildings or structures as a separate unit of ownership, as defined, to be found reasonable. Gives further requirements and limitations relating to compliance with rules and regulations of management with regard to the sale or transfer of mobile homes or accessing buildings or structures. Deems as unenforceable any provision in a rental agreement that limits or restricts a homeowner's right to sell a mobile home or accessory building or structure to a buyer of the homeowner's choosing except as permitted by the Article. Provides a procedure for a homeowner to challenge any new or amended rule or regulation within 60 days of notice of management's intent, using the complaint procedure set out in GS 42-108 of the Article.

Authorizes the management of a new mobile home park or manufactured housing community development to require as a condition of leasing a home site for the first time the site is offered for lease, that the prospective lessees purchase a mobile home or manufactured home from a particular seller. Allows a licensed mobile home dealer or manufactured home dealer to contract with management of a new park or community development for exclusive rights to first-time rental of one or more home sites.

Allows for mediation agreements between management and homeowners, except for nonpayment of rent or in cases which the health or safety of other homeowners is in imminent danger, and provides for the effect of such stipulations in court actions.

Establishes notice requirements relating to a landlord's intent to sell the park following one of ten described triggering events demonstrating the landlord's intent, and a landlord's intent to change the use of the land comprising the mobile home park. Provides limitations for actions during specified period following notice. Provides groups or associations of homeowners the opportunity to purchase within 180 days of notice, with extensions permitted, with authority to assign the rights to a public entity as specified. Establishes required actions of landlords following notice. Provides for each triggering event to create an independent option to purchase. Details requirements and limitations relating to opportunities to purchase, including six situations that exempt the landlord from the required notice or extension provisions. Allows a group or association of homeowners to submit an offer to purchase at any time absent a triggering event. Deems void any park sale in which the landlord or seller is substantially noncompliant with these provisions. Deems the homeowner rights provided as property interests, and provides that any title transfer subsequent to a triggering event to be defective unless the property interests are secured or until an equitable remedy is provided. Provides for the Commission to investigate violations upon filed complaints or on its own, at the Commission's discretion, and grant remedies under GS 42-91, and impose fines of the greater of up to 30% of the sale or listing price of the park, and file a civil action for relief. Authorizes the Attorney General to investigate possible violations of these provisions, with permitted actions enumerated regarding preliminary findings of substantial noncompliance that are likely to result in significant harm to the property interests of the homeowners. Additionally permits homeowners or their assignees to file a civil action alleging violations of the provisions under GS 42-108 of the Article.

Allows one or more homeowners to form a cooperative to offer to purchase or finance a mobile home park. Requires the homeowner to be a member of the homeowners' association to participate in the cooperative. Makes participation in a cooperative voluntary.

Provides for a homeowner and landlord's private right of action to enforce protections from abuse or disregard of state or local laws, as defined; peaceful enjoyment of the homeowner's mobile home space; and tenancy free from harassment or frivolous lawsuits.

Establishes a right of action by any homeowner, assignee, resident, association of homeowners, or landlord for any alleged violation of a rental agreement, and authorizes a court to award economic damages, penalties authorized under the Article, appropriate equitable and injunctive relief, and reasonable attorneys fees and costs, as specified. Provides a court authority to order the 180-day purchase period suspended and to stay or cancel pending transactions, or other equitable relief related to violations of notice of sale and opportunity to purchase requirements, with authority to award a statutory penalty of at least \$20,000, not to exceed 30% of the park's purchase price, in addition to fines and penalties imposed by the Commission under GS 42-102 of the Article. Authorizes the court to award a statutory penalty of at least \$15,000, not to exceed \$50,000 to each aggrieved party for each violation of GS 42-86(c) and (d), relating to prohibited rent increases and required notice of a rent increase.

Requires a landlord to grant local government officers and employees access to the park to investigate or conduct a study related to utilities found to create a significant health or safety danger to park residents.

Provides for privacy rights of homeowners, with exceptions for entry by consent, in event of an emergency, or the home abandonment. Allows entry for management to fulfill duties and ensure compliance with relevant state and local laws and rules, and the park's rules and regulations, subject to a requirement to make a reasonable effort to provide 48 hours' notice before entry.

Establishes recordkeeping requirements for a landlord relating to homeowners and residents, to be kept for 12 months after tenancy ends, with transfer of the records to the new owner upon any sale or transfer of the park. Requires identified records be kept for at least 48 months following any sale or transfer of the park. Sets six requirements for the Commission to consider in adopting rules to implement the provisions. Allows a homeowner to file a complaint with the Commission for any violation. Deems a violation of recordkeeping requirements relating to written rules and regulations adopted during a resident's tenancy

or all requirements for keeping records following a sale or transfer presumed when a landlord has not retained adequate records as required for a resident.

Directs the Commission to establish a dispute resolution and enforcement program as part of the Article. Grants the Commission ten powers and duties, including creating and maintaining a registration database of mobile home parks, creating and maintaining a database of mobile home parks that have had complaints filed against them under the program, and annually reporting to the specified NCGA committee and publishing the report to the Commission's website. Authorizes the Attorney General to investigate and enforce compliance with the Article.

Sets forth the procedure of the complaint process under the Commission, which includes filing a complaint, the Commission investigating the complaint or initiating an investigation of potential violations on its own, the Commission facilitating negotiations between the parties or making written findings regarding whether a violation occurred, notification of a violation to the parties with required content included, an opportunity to contest the Commission's decision, a seven-day period for a respondent to comply with the notice of violation, the Commission assessing a penalty of up to \$5,000 per violation per day a violation remains uncorrected. Grants the Commission the authority to issue a cease and desist order as specified. Provides the grounds and procedure for a contested decision or action of the Commission. Bars landlords from seeking recovery or reimbursement of any penalties imposed by the Commission from a complainant, homeowner, or resident. Deems penalties a lien against the mobile home park until the landlord pays. Makes retaliatory actions for filing a complaint or harassment or intimidation against a homeowner subject to a fine of up to \$10,000 imposed by the Commission. Details confidentiality rules relating to complainants. Identifies rights and obligations excluded from enforcement under these provisions.

Requires the Commission to register and annually renew all mobile home parks on an individual basis and send notification and information packets to landlords and parks as specified. Establishes a procedure for registration and directs the Commission to establish a registration fee. Allows a landlord to charge homeowners up to half of the registration fee. Requires initial registrations to be filed by February 1, 2024, and within three months after that date of the availability of mobile home lots for rent within a new park. Provides for delinquent registration fees of up to \$5,000. Requires the Commission to establish a system to respond directly to inquiries about the registration process, and to create and maintain a database that includes all information collected during the registration process.

Details requirements of the database the Commission must create and maintain for complaints filed with the Commission, including preparing an annual report with described content.

Establishes the Mobile Home Park Fund within the General Fund, maintained by the Department of Administration, to support the Commission.

Makes conforming changes to GS 42-14. Repeals GS 42-14.3, Notice of conversion of manufactured home communities.

Effective October 1, 2023.

Reenacts GS 105-130.5(b)(24) as it existed immediately before its expiration. Reenacts GS 105-134.6(b)(19) as it existed immediately before its expiration, and recodifies the provision as GS 105-153.5(b)(16). Effective for taxable years beginning on or after January 1, 2023.

Intro. by Meyer, Smith.

GS 42, GS 105

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Administration, Tax

LOCAL/SENATE BILLS

S 203 (2023-2024) [AUTHORIZE SKATEBOARD RESTRICTIONS/POLK CO.](#) Filed Mar 6 2023, *AN ACT AUTHORIZING POLK COUNTY TO PROHIBIT OR RESTRICT SKATEBOARDING.*

Senate committee substitute to the 1st edition makes the following changes. Changes the act's effective date from October 1, 2023, to when the act becomes law but still specifies that any ordinance adopted by Polk County under the act may not become effective before October 1, 2023.

Intro. by Moffitt.

[Polk](#)

[View summary](#)

[Transportation](#)

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

Senate amendment to the 2nd edition makes the following changes. Adds new provision providing that all members of the Polk County Board of Commissioners will serve four-year terms, beginning the first Monday in December following the 2024 general election. Makes organizational changes. Changes act's long title.

Intro. by Moffitt.

[Henderson, Polk, Rutherford](#)

[View summary](#)

[Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 48: [DELAY EFFECTIVE DATE OF APPRAISAL BOARD RULES. \(NEW\)](#)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 93: [ALLOW PRESERVE OPERATORS TO PURCHASE RABBITS.](#)

House: Reptd Fav

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

H 149: [REMOTE & VIRTUAL CHARTER/CC PRES CONFIRMATION. \(NEW\)](#)

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

H 155: [CERT. OF TITLES FOR CERTAIN OFF-ROAD VEH. \(NEW\)](#)

House: Reptd Fav Com Substitute

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

H 167: [COMMUNITY ACTION ID CARD RESTRICTIONS.](#)

House: Reptd Fav

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

H 172: SAMANTHA ROSE DAVIS ACT. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 173: TREASURY ADMINISTRATIVE CHANGES ACT.-AB

House: Reptd Fav

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

H 192: 2023 WILDLIFE RESOURCES CHANGES.-AB

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 193: VARIOUS COURT CHANGES 2023.-AB

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

House: Withdrawn From Com

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

H 214: ADD MEMBERS TO NC TRAINING STANDARDS COMMISS.

House: Reptd Fav

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

H 223: OSHR/VARIOUS SHRA CHANGES.

House: Reptd Fav Com Sub 2

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

H 253: PREVENT STUDENTS FROM HARM ACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 259: 2023 APPROPRIATIONS ACT.

House: Amend Adopted A1

House: Amend Adopted A2

House: Amend Adopted A3

House: Amend Failed A4

House: Amend Failed A5

House: Amend Adopted A6

House: Amend Failed A7

House: Amend Adopted A8

House: Amend Adopted A9

House: Amend Failed A10

House: Amend Failed A11

House: Amend Adopted A12

House: Amend Adopted A13

House: Amend Failed A14

House: Amend Adopted A15

House: Amend Failed A16

House: Amend Failed A17
House: Amend Failed A18
House: Amend Failed A19
House: Amend Failed A20
House: Amend Failed A21
House: Amend Adopted A22
House: Passed 2nd Reading

H 287: EDUCATE PATIENTS ABOUT OPIOID ANTAGONISTS.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 319: VETERAN REGISTRATION PLATE MODIFICATIONS.

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

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

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 327: CLARIFY ANIMAL WELFARE STATUTES.

House: Reptd Fav Com Substitute
House: Re-ref Com On Judiciary 1

H 344: QRIS/STAR RATING SYSTEM REFORM.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 354: CHIROPRACTIC ASSISTANT MODIFICATIONS.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 361: REQUIRE REPORT/PROTECTION & ADVOCACY AGENCY.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 363: THE GABE TORRES ACT.

House: Reptd Fav
House: Re-ref Com On Pensions and Retirement

H 364: 2023 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

House: Passed 3rd Reading

H 374: RAFFLES/INCREASE REAL ESTATE PRIZE LIMIT.

House: Reptd Fav Com Substitute

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

H 378: FIREFIGHTERS CRIMINAL HISTORY RECORD CHECKS.

House: Reptd Fav Com Substitute

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

H 392: REFLEXOLOGIST RIGHT TO WORK ACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 408: CHARLOTTE FC SPECIAL REGISTRATION PLATE.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 413: TOPSAIL BEACH SPECIAL REGISTRATION PLATE.

House: Reptd Fav

House: Re-ref Com On Finance

H 422: UNFAIR REAL ESTATE AGREEMENTS ACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 427: HONOR WOMEN VETERANS PLATE/WOMEN VETERANS DAY. (NEW)

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 436: PERMANENT PLATES FOR WATER & SEWER AUTHORITY.

House: Reptd Fav

House: Re-ref Com On Finance

H 463: NC FARMLAND AND MILITARY PROTECTION ACT.

House: Reptd Fav

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

H 469: FORECLOSURES/EXTEND SERVICEMEMBER PROTECTIONS.

House: Reptd Fav Com Substitute

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

H 473: MODIFY LOW-SPEED VEHICLE DEFINITION.

House: Reptd Fav

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

H 481: MODERNIZE DEBT SETTLEMENT PROHIBITION.

House: Reptd Fav

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

H 539: NORTH CAROLINA FARMERS APPRECIATION DAY.

House: Reptd Fav Com Substitute

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

H 561: NORTH CAROLINA COERCED DEBT RELIEF ACT.

House: Passed 1st Reading

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

H 562: ADDRESSING THE WORKFORCE HOUSING CRISIS.

House: Passed 1st Reading

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

H 563: REGULATE CANNABINOID PRODUCTS & KRATOM.

House: Passed 1st Reading

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

House: Withdrawn From Com

House: Re-ref to the Com on Judiciary 2, if favorable, Appropriations, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 564: SECOND AMENDMENT FINANCIAL PRIVACY ACT.

House: Passed 1st Reading

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

H 565: STUDY VOLUNTEER FIREFIGHTER INCENTIVES.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

H 567: HEALTH CARE FREEDOM ACT.

House: Passed 1st Reading

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

H 568: NCSSM PLATE.

House: Passed 1st Reading

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

H 569: WORKING FAMILIES ACT.

House: Passed 1st Reading

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

H 572: STATE INFRASTRUCTURE BANK STUDY.

House: Filed

H 573: FAIR MEDICAID ASC REIMBURSEMENTS.

House: Filed

H 574: FAIRNESS IN WOMEN'S SPORTS ACT.

House: Filed

H 575: MODIFY PROVISIONS AFFECTING ADULT CORRECTION.

House: Filed

H 576: HEALTH CARE PRACTITIONER TRANSPARENCY ACT.

House: Filed

H 577: STUDY/EMERGENCY INFO ON DMV APPLICATIONS.

House: Filed

H 578: INCENTIVIZE SPACE SPIRITS.

House: Filed

H 579: AMEND CERTAIN DEQ/EPA AGREEMENTS/PROCEEDINGS.

House: Filed

H 580: EXPAND DAY/EMPLOYMENT OPTIONS/IDD.

House: Filed

H 581: INVESTING IN NORTH CAROLINA ACT.

House: Filed

H 582: TRANSPORTATION FOR THE FUTURE ACT.

House: Filed

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

House: Special Message Sent To Senate

Senate: Special Message Received For Concurrence in H Com Sub

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

S 22: RENAME OUTDOOR HERITAGE ADVISORY COUNCIL.

House: Reptd Fav

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

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 80: STATE AUDITOR DISCLOSURE AND DISCOVERY ACT.

Senate: Reptd Fav

S 157: LIMITED PROVISIONAL LICENSE MODIFICATION.

House: Reptd Fav

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

S 228: PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 282: VETERINARY MEDICAL BOARD INSPECTIONS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received From Senate

S 303: STRENGTHEN JUVENILE LAWS.

Senate: Reptd Fav

S 308: GUARDIANSHIP RIGHTS.

Senate: Reptd Fav

Senate: Withdrawn From Cal

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

S 327: GSC ASSIGNMENTS OF ERROR.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received From Senate

S 331: CONSUMER FINANCE ACT AMENDMENTS.

Senate: Reptd Fav

S 340: EXPAND PROB. OFFICER/SHERIFF AUTHORITY.

Senate: Reptd Fav

S 354: NC TEN.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 419: CAROLINA'S GUARANTEE SCHOLARSHIP PROGRAM.

Senate: Withdrawn From Com

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

S 420: HOMEBUYER FAIRNESS & PROTECTION ACT.

Senate: Withdrawn From Com

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

S 422: HOMES FOR HEROES.

Senate: Withdrawn From Com

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

S 424: RESTORE THE AMERICAN DREAM.

Senate: Withdrawn From Com

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

S 508: REMOVE VOLUNTEER CHAPLAIN ED. REQUIREMENTS.

Senate: Withdrawn From Com

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

S 512: GREATER ACCOUNTABILITY FOR BOARDS/COMMISSIONS.

Senate: Reptd Fav

S 523: INCREASE SCHOOL PSYCHOLOGISTS.

Senate: Withdrawn From Com

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

S 531: DAM SAFETY LAW CLARIFICATION.

Senate: Withdrawn From Com

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

S 534: PROTECT WHISTLEBLOWER LEOS FROM RETALIATION.

Senate: Passed 1st Reading

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

S 535: PENSION FORFEITURE DUE TO CRIMINAL ACTS.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 537: THE PATRICK MAYS HAZARD LIGHT SAFETY ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 538: LAW ENFORCEMENT INVESTMENT ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 539: SMALL BUSINESS TRUTH IN FINANCING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 540: RIGHT TO USE CONTRACEPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 541: FUNDS FOR ASHEVILLE MUNICIPAL GOLF COURSE.

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 542: DOL/OMNIBUS LAW CHANGES AGENCY BILL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 543: REMOVE BARRIERS TO LABOR ORGANIZING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 544: REVISE BUFFER ZONE LIMITATIONS/ELECTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 545: INSPECTION RIGHTS REGARDING SUBSIDIARIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 547: AMEND DANGEROUS DOG STATUTES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 548: UNIFORM PARTITION OF HEIRS PROPERTY ACT.

Senate: Passed 1st Reading

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

S 549: DEVELOPMENT MORATORIA/TRANSPORTATION PROJECTS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to State and Local Government. If fav, re-ref to Transportation. If fav, re-ref to Rules and Operations of the Senate

S 550: DIRECT SUPPORT PROFESSIONAL WAGE INCREASES.

Senate: Passed 1st Reading

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

S 551: EXTEND COVID SAFE HARBOR.

Senate: Passed 1st Reading

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

S 552: MODIFICATIONS TO NOTARY PUBLIC ACT.

Senate: Passed 1st Reading

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

S 553: LANDLORD-TENANT AND HOA CHANGES.

Senate: Passed 1st Reading

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

S 554: STUDY & ABATE OCULAR MELANOMA/FUNDS.

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 555: WORKING FAMILIES ACT.

Senate: Passed 1st Reading

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

S 556: END MENSTRUAL POVERTY ACT.

Senate: Passed 1st Reading

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

S 557: EXPAND MINORITY BUSINESS CAPACITY.

Senate: Passed 1st Reading

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

S 558: BROADBAND AFFORDABILITY PROG./DIGITAL EQUITY.

Senate: Passed 1st Reading

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

S 559: TREASURY ADMINISTRATIVE CHANGES ACT.-AB

Senate: Passed 1st Reading

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

S 560: MEDICAL TREATMENT FOR MINORS ACT.

Senate: Passed 1st Reading

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

S 561: REPEAL COLLECTIVE BARGAINING BAN.

Senate: Passed 1st Reading

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

S 562: RELOCATE TELECOM UTIL FOR HWY CONSTRUCTION.

Senate: Passed 1st Reading

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

S 563: ELDERLY PROP. TAX APPRECIATION EXCLUSION.

Senate: Passed 1st Reading

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

S 564: IMPROPER ACTION CLAIMS ACT.

Senate: Passed 1st Reading

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

S 565: REMOVING BARRIERS TO JOBS AND HOUSING.

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 566: INCREASE INNOVATIONS WAIVER SLOTS.

Senate: Passed 1st Reading

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

S 567: SCHOOL MENTAL HEALTH SUPPORT ACT.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

S 569: CREATE PUBLIC APP. FOR REPORTING THREATS.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

S 571: NC ACCOUNTABILITY/SAFETY NET.

Senate: Passed 1st Reading

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

S 572: INCENTIVIZE SPACE SPIRITS.

Senate: Passed 1st Reading

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

S 573: SCHOOL FINANCE OFFICER EMPLOYMENT TERMS.

Senate: Passed 1st Reading

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

S 574: AUTHORIZE NIL AGENCY CONTRACTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 575: DOMESTIC VIOLENCE VICTIMS' SEPARATION WAIVER.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 576: SHARED PARENTING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 577: DMV PROPOSED LEGISLATIVE CHANGES.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 578: STATE AS A MODEL EMPLOYER/IDD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 579: PREVENT HARM TO CHILDREN.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 580: DOT LEGISLATIVE CHANGES.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 581: COUNTY AND CITY SALES TAX EXEMPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 582: NORTH CAROLINA FARM ACT OF 2023.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 583: HOUSING STUDIES-BARRIERS AND HOMELESSNESS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 584: BREAST CANCER DIAGNOSTIC IMAGING REFORM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 586: FAIR MEDICAID ASC REIMBURSEMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 587: END LIMITS ON LABOR ORGANIZING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 588: INCREASE JUROR PAY.

Senate: Passed 1st Reading

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

S 589: UNIFORMED CIVIL SERVICE ACT.

Senate: Passed 1st Reading

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

S 590: ANGEL INVESTMENT FOR SMALL BUSINESSES.

Senate: Passed 1st Reading

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

S 591: ESTABLISH EYELASH ART TECHNICIAN.

Senate: Passed 1st Reading

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

S 592: CENTRAL PARK SCHOOL ADMISSIONS PILOT PROGRAM.

Senate: Passed 1st Reading

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

S 593: AMEND LEVEL 2 LICENSE RESTRICTIONS.

Senate: Passed 1st Reading

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

S 594: MICKEY'S FREEDOM RESTORATION ACT.

Senate: Passed 1st Reading

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

S 595: PRIMARY CARE PAYMENT REFORM TASK FORCE.

Senate: Filed

S 596: FUNDS FOR GENESIS PROJECT.

Senate: Filed

S 597: PHARMACISTS/COLLABORATIVE PRACTICE.

Senate: Filed

S 598: HEALTHY STUDENTS - A NURSE IN EVERY SCHOOL.

Senate: Filed

S 599: MULTICAMPUS CENTER RECOGNITION.

Senate: Filed

S 600: ESTABLISHING PATERNITY REVISIONS.

Senate: Filed

S 601: FIRST RESPONDERS MENTAL HEALTH CARE PLAN.

Senate: Filed

S 602: GRANT'S LAW/REQUIRE LIFEGUARDS AT DAY CAMPS.

Senate: Filed

S 603: CONFIDENTIALITY OF ANIMAL SERVICES RECORDS.

Senate: Filed

S 604: MOTORCYCLE ROAD GUARD CERTIFICATION.

Senate: Filed

S 605: NO FORCED MICROCHIP IMPLANTS FOR EMPLOYEES.

Senate: Filed

S 606: REDUCED SIZE PLATES/MODIFIED UTILITY VEHICLES.

Senate: Filed

S 607: TEMPORARY SOLUTIONS PROGRAM CHANGES.

Senate: Filed

S 608: PROPERTY TAX MODIFICATIONS.

Senate: Filed

S 609: NC SEMIQUINCENTENNIAL LEGISLATIVE COMMISSION.

Senate: Filed

S 610: RET. SVC. PURCHASE/COMPANY OFFICERS.

Senate: Filed

S 611: FUNDS FOR GENESIS PROJECT.

Senate: Filed

S 612: FUNDS FOR SECOND WARD MUSEUM.

Senate: Filed

S 613: SEDIMENTATION BUFFER FOR TROUT WATERS.

Senate: Filed

S 614: COMM. HEALTH WKRS./MATERNAL HLTH. DISPARITIES.

Senate: Filed

S 615: ADOPTION LAW CHANGES.

Senate: Filed

S 616: ENVIRONMENTAL HEALTH ASSOCIATES.

Senate: Filed

S 617: ATV SAFETY COURSE WARNING LABEL EXCEPTION.

Senate: Filed

S 618: TAS TO TEACHERS.

Senate: Filed

S 620: SOCIAL MEDIA ACCOUNTABILITY ACT.

Senate: Filed

S 621: MODIFY PUBLIC-INITIATED CRIMINAL PROCESSES.

Senate: Filed

S 622: CONSUMER PROTECTIONS AGAINST STORM CHASERS.

Senate: Filed

S 623: TRANSPARENT ELECTRIC TRANSFERS.

Senate: Filed

S 624: HEALTH CARE PRACTITIONER TRANSPARENCY ACT.

Senate: Filed

S 625: CHILD WELFARE, SAFETY AND PERMANENCY REFORMS.

Senate: Filed

S 626: MODIFY LAWS RELATING TO HUMAN TRAFFICKING.

Senate: Filed

S 627: CATTLEMEN'S ASSOCIATIONS TAX EXCLUSION.

Senate: Filed

S 628: ARTICLE V CONVENTION OF THE STATES.

Senate: Filed

S 629: DRIVER IMPROVEMENT CLINICS/MOTORCYCLES.

Senate: Filed

S 630: CONSTITUTIONAL AMENDMENT/CITIZENS-ONLY VOTING.

Senate: Filed

S 631: FAIRNESS IN WOMEN'S SPORTS ACT.

Senate: Filed

S 632: I-95 TOLL PROHIBITION.

Senate: Filed

S 633: MOBILE HOME PARK ACT.

Senate: Filed

S 634: CAP CHARTER SCHOOLS.

Senate: Filed

S 635: ORPHAN ROADS.

Senate: Filed

S 636: SCHOOL ATHLETIC TRANSPARENCY.

Senate: Filed

S 637: STIP GRANT ANTICIPATION NOTES.

Senate: Filed

S 638: MOVE OVER FOR DISABLED VEHICLES.

Senate: Filed

S 639: YOUTH HEALTH PROTECTION ACT.

Senate: Filed

S 640: VARIOUS CRIMINAL PROCEDURE CHANGES.

Senate: Filed

S 641: MEDICAL ETHICS DEFENSE (MED) ACT.

Senate: Filed

S 642: INDEPENDENT REDISTRICTING COMMISSION.

Senate: Filed

S 643: TRANSPORTATION FOR THE FUTURE ACT.

Senate: Filed

S 644: NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION.

Senate: Filed

S 645: ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP.

Senate: Filed

S 646: COASTAL FUNDING AND POLICY PRIORITIES.

Senate: Filed

S 647: STATE BAR DUES/NCGA STAFF CLES.

Senate: Filed

S 648: PROTECT CRITICAL INFRASTRUCTURE II.

Senate: Filed

S 649: REQ. WORK TRAINING/DELINQUENT CHILD SUPPORT.

Senate: Filed

S 650: GUN VIOLENCE PREVENTION ACT.

Senate: Filed

S 651: TAX RELIEF FOR ALL.

Senate: Filed

S 652: INVESTING IN NORTH CAROLINA ACT.

Senate: Filed

S 653: ACCESS TO SPORTS AND EXTRACURRICULARS FOR ALL.

Senate: Filed

S 654: REVISE ANIMAL FIGHTING LAWS.

Senate: Filed

LOCAL BILLS

H 438: FRANKLIN/GRANVILLE RECOGNIZED COMMON BOUNDARY.

House: Withdrawn From Cal

House: Placed On Cal For 04/06/2023

H 449: CERTAIN BEACH TOWNS/NAVIGABLE WATERS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 203: AUTHORIZE SKATEBOARD RESTRICTIONS/POLK CO.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On State and Local Government

S 265: INCREASE MUNICIPAL ELECTION PARTICIPATION ACT.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 619: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

Senate: Filed

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