

The Daily Bulletin: 2023-04-06

PUBLIC/HOUSE BILLS

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, as amended, make the following changes.

Part IX-H. Public Health

Section 9H.4 Use of Juul Settlement Funds

Amendment #27 makes the following changes. Reduces the amount allocated from the funds appropriated from the Youth Electronic Nicotine Dependence Abatement Fund to the Division of Public Health to be used for electronic cigarette and nicotine dependence prevention and cessation activities targeting students in grades 4-8 from \$7 million to \$5.5 million; increases from \$4 million to \$5.5 million the amount allocated to continue the tobacco and nicotine dependence and prevention activities targeting youth and young adults that were authorized in SL 2021-180.

Adds that funds appropriated in this act to the Department of Health and Human Services, Division of Public Health, in Fund Code 2600, for (1) Electronic Cigarette Prevention and Cessation Programs Targeted at Children in Grades 4-8 are decreased by \$1.5 million for each year of the 2023-25 fiscal biennium; and (2) Activities to Mitigate Electronic Cigarette Use by Youth are increased by the sum of \$1.5 million for each year of the 2023-25 fiscal biennium.

Part XI. Commerce

Section 11.6 Vocational Training Workforce Grants

Amendment #24 changes the title of the section to Golden LEAF Workforce Grants. Amends the grant recipients to no include community colleges, governmental entities, or 501(c)(3) non-profits providing workforce training (was, community colleges or other institutions offering vocational training and students attending community colleges or institutions offering vocational training). Amends the allowable use of the funds to include the purchase and installation of equipment, building renovations, purchase of instructional materials and supplies, personnel costs, and for student support, apprenticeships, internships and similar costs.

Part XVIII. Justice

Section 18.1 Transfer State Crime Lab to Independent State Bureau of Investigation

Amendment #25 deletes this section in its entirety.

Part XIX-F. Department of Public Safety Administration

Section 19F.6 Clarify Use of Funds

Amendment #26 adds the following. Requires funds transferred to the ARPA Temporary Savings Fund to the Department of Public Safety for roof renovations and upfit at the Safer School Academy to be used instead for the replacement of the Academy's administrative building.

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

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

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H 574 (2023-2024) **FAIRNESS IN WOMEN'S SPORTS ACT**. Filed Apr 5 2023, *AN ACT TO PROTECT OPPORTUNITIES FOR WOMEN AND GIRLS IN ATHLETICS*.

Identical to [S 631](#), filed 4/5/23.

Amends GS 115C-12(23), regarding the State Board of Education's (State Board) duty to adopt rules governing interscholastic athletic activities conducted by local boards of education, to add the following requirements to the mandated content of rules applicable to middle schools and high schools. Requires all teams participating in interscholastic or intramural athletic activities to: (1) have each team expressly designated by the biological sex of the team participants as either males/men/boys, females/women/girls, or coed/mixed; and (2) require teams or sports designated for females/women/girls not be open to students of the male sex and teams or sports designated for males/men/boys not be open to students of the female sex (unless there is no comparable female team for the particular sport and the sport is not a contact sport), where a student's sex is recognized solely based on the student's reproductive biology and genetics at birth. Establishes a private cause of action for the following, subject to a two-year statute of limitations: (1) a student who is deprived of an athletic opportunity or suffers or is likely to suffer from any direct or indirect harm as a result of a violation of the above requirements; (2) a student who is

subjected to retaliation or other adverse action by a public school unit, athletic association, or other organization as a result of reporting a violation of the above requirements to an employee or representative at the public school unit, athletic association, or any local, State, or federal agency with oversight of the public school unit; and (3) any public school unit or its representatives or employees who suffer any direct or indirect harm for complying with the above requirements. Provides for remedies including injunctive relief, protective order, writ of mandamus or prohibition, or declaratory relief, as well as actual damages, including for psychological, emotional, or physical harm, reasonable attorney fees, and costs. Requires the State Board to monitor middle and high schools for compliance, and requires reporting schools in violation to the Joint Legislative Oversight Committee.

Amends the following statutes to require middle and high school athletic teams at charter schools, regional school, and lab schools to comply with GS 115C-12(23), as amended: GS 115C-218.75; GS 115C-238.66; and GS 116-239.8.

Enacts GS 115C-567 to require nonpublic schools that are members of an organization that administers interscholastic athletic activities pursuant to Article 29E, and any other nonpublic schools that organize athletic teams at the middle and high school level that plays a team from any school required to comply with GS 115C-12(23), to comply with GS 115C-12(23), as amended.

Applies beginning with the 2023-24 school year.

Intro. by Balkcom, Gillespie, Paré, K. Baker.

GS 115C, GS 116

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**Education, Elementary and Secondary Education,
Government, State Agencies, UNC System, Health and Human
Services, Health**

H 576 (2023-2024) **HEALTH CARE PRACTITIONER TRANSPARENCY ACT**. Filed Apr 5 2023, *AN ACT TO REQUIRE HEALTH CARE PRACTITIONERS TO WEAR IDENTIFICATION NOTIFYING PATIENTS OF THE HEALTH CARE PRACTITIONER'S APPROPRIATE LICENSURE*.

Identical to [S 624](#), filed 4/5/23.

Retitles Article 37 of GS Chapter 90 as the Health Care Practitioner Transparency Act (was, the Health Care Practitioner Identification). Enacts a short title and four defined terms for the Article.

Replaces the provisions of GS 90-642 with the following. Require advertisements, as defined, for health care services that name a health care practitioner to identify the type of license held by the health care practitioner. Broadly defines health care practitioner as an individual licensed, certified, or registered to engage in the practice of medicine, nursing, dentistry, pharmacy, or any related occupation involving the direct provision of health care to patients. Bars advertisements from containing any deceptive or misleading information, as defined. Requires health care practitioners, when providing health care to a patient, to wear a badge or other form of ID displaying (1) a recent photo; (2) the practitioner's name; (3) the license, certification, or registration held by the practitioner; and (4) the expiration date of such license. Adds form and size requirements for the badges. Requires health care practitioners to display a written document in the practitioner's office that clearly identifies the type of license, certification, or registration held by the practitioner, readily determined by a patient from the posting. Bars health care practitioners from making a representation about the practitioner's license, certification, or registration that is deceptive or misleading. Requires compliance in each practice setting. Prohibits individuals licensed under Article 1, Practice of Medicine, from holding oneself out to the public by calling oneself a physician or any of the listed titles, or similar, with the intent to represent that the individual practices medicine. Requires medical doctors or doctors of osteopathic medicine who supervise or participate in collaborative practice agreements with other health care practitioners or professional who provide any type of health care services who are not medical doctors or doctors of osteopathic medicine to post a schedule of regular hours when the medical doctor or doctor of osteopathic medicine will be present in the office, as specified. Excludes health care practitioners who work in non-patient settings who do not have direct patient health care interactions.

Enacts GS 90-643, establishing the following as violations of Article 37: (1) knowingly aiding, assisting, procuring, employing, or advising an unlicensed individual or entity practicing or engaging in act outside the scope of the health care

practitioner's degree of licensure; (2) knowingly delegating or contracting the performance of health care services to an unqualified health care practitioner; or (3) noncompliance with the Article's provisions. Deems violation unprofessional conduct and subjects violators to disciplinary action by the appropriate licensing board or other appropriate governing provisions. Allows for persons who suffer injuries or damages as a result of a violation of the Article to seek injunctive relief in Wake County Superior Court. Deems each day of noncompliance a separate violation.

Directs fifteen named licensing boards to adopt temporary and permanent implementing rules.

Effective October 1, 2023.

Intro. by K. Baker, Reeder, Potts, Paré.

[View summary](#)

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

H 580 (2023-2024) [EXPAND DAY/EMPLOYMENT OPTIONS/IDD](#). Filed Apr 5 2023, *AN ACT TO EXPAND MEANINGFUL DAY AND EMPLOYMENT SERVICES OPTIONS FOR MEDICAID BENEFICIARIES WITH INTELLECTUAL DISABILITIES*.

Directs the Department of Health and Human Services, Division of Health Benefits (DHB) to create a new Medicaid in-lieu-of-service, Community Activities and Employment Transitions (CAET) program for adults with intellectual disabilities. Establishes guidelines for DHB to follow when developing the CAET program. Requires DHB to coordinate with relevant stakeholders to develop the CAET program. Authorizes DHB to submit any Sate Plan amendments or waivers, or request other approval from the Centers for Medicare and Medicaid Services, and specifies that coverage of the new service may not begin earlier than January 1, 2024.

Requires DHB to submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice providing specified information on the development of the CAET program and legislative changes necessary for implementation.

Appropriates \$4.5 million in recurring funds for 2023-24 and \$9 million in recurring funds for 2024-25 to DHB from the General Fund for implementation of the CAET services. These funds are a match for federal recurring funds of \$8.7 million for 2023-24, and \$17.4 million for 2024-25, and those federal funds are also appropriated to DHB for the same purpose. The appropriations are effective July 1, 2023.

Intro. by Crawford, White, K. Baker, Hawkins.

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APPROP

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

H 581 (2023-2024) [INVESTING IN NORTH CAROLINA ACT](#). Filed Apr 5 2023, *AN ACT TO APPROPRIATE FUNDS TO RAISE SALARIES FOR TEACHERS, STATE EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND EMPLOYEES OF THE UNIVERSITY OF NORTH CAROLINA; TO PROVIDE A COST-OF-LIVING INCREASE FOR RETIREES; TO EXPAND THE WAGES PROGRAM STATEWIDE; AND TO CREATE A TAX CREDIT FOR QUALIFYING EMPLOYERS EQUAL TO THE LESSER OF FIVE PERCENT OF WAGES PAID TO EMPLOYEES DURING THE TAXABLE YEAR OR TEN THOUSAND DOLLARS*.

Identical to [S 652](#), filed 4/5/23.

Part I

Sets a monthly teacher salary schedule for "A" teachers for 2023-24 for licensed public school personnel classified as teachers, based on years of experience, ranging from \$4,100 for teachers with 0 years of experience to \$6,000 for 28 or more years of experience. Provides for a 12% salary supplement for licensed teachers who have National Board for Professional Teaching Standards certification; a 10% salary supplement for licensed teachers classified as "M" teachers; a \$126 salary supplement for licensed teachers with licensure based on academic preparation at the six-year degree level, in addition to the "M" teachers salary supplement; a \$253 salary supplement for licensed teachers with licensure based on academic preparation at the doctoral degree level, in addition to the "M" teachers salary supplement; a 10% salary supplement for certified school nurses; and a \$100 salary supplement for school counselors who are licensed as counselors at the master's degree level or higher.

Requires that the first step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher, must be equivalent to the sixth step of the "A" salary schedule. Provides for a 10% and \$500 salary supplement. Deems these employees eligible to receive salary supplements equivalent to those of teachers for academic preparation at the six-year degree level or the doctoral degree level. Requires that the twenty-sixth step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher must be 7.5% higher than the salary received by these same employees on the twenty-fifth step of the salary schedule. Provides that in lieu of the amounts of annual longevity payments to teachers paid on the teacher salary schedule, beginning with the 2014-15 fiscal year, the amounts of those longevity payments are included in the monthly amounts under the teacher salary schedule.

Details teacher compensation for the 2023-24 school year based on either (1) the applicable salary schedule; (2) the sum of the salary the teacher received in 2013-14, longevity pay for the 2013-14 school year, and annual bonus provided in SL 2014-100; or (3) the sum of the salary and annual bonus the teacher received in the 2014-15 school year, with the compensation amount determined to be equal to the greater of those amounts. Provides that teacher includes instructional support personnel. Appropriates \$673,612,851 million in recurring funds for 2023-24 from the General Fund to the Department of Public Instruction (DPI) to increase salaries for teachers and support personnel.

Part II

Raises salaries for certain individuals whose salaries are (1) set/authorized in this Part under the State Human Resources Act (SHRA) and (2) who are employed in a state-funded position on June 30, 2023, by 5% effective July 1, 2023, in addition to any other raises permitted by law. Raises salaries for certain individuals whose salaries are (1) set/authorized in this Part under the State Human Resources Act (SHRA) and (2) who are employed in a state-funded position on June 30, 2024, by 3% effective July 1, 2024, in addition to any other raises permitted by law.

Allows for permanent part-time employees to receive the increase on a prorated and equitable basis. Specifies that no eligible State-funded employee will be prohibited from receiving the full salary increase solely because the employee's salary after applying the 5% increase would be above the maximum of the salary range prescribed by the State Human Resources Commission (SHRC). Exempts employees of local boards of education, local community college employees, employees of The University of North Carolina, clerks of superior court compensated under GS 7A-101, certain correctional employees covered by the act, certain law enforcement officers covered by the act, certain probation and parole officers covered by the act, and employees of schools operated by the Department of Health and Human Services (DHHS), the Department of Public Safety (DPS), and the State Board of Education (Board) who are paid based on the Teacher Salary Schedule.

Authorizes state agencies to use the funding allotted to them from the Receipt-Supported Cost-of-Living Adjustment (COLA) Reserve to fundshift a limited number of receipt-supported positions in the General Fund to net appropriation funding.

Replaces references to "longevity pay" in GS Chapter 126 with "retention pay." Increases retention pay provided to employees who are full-time or over half-time and have a permanent, time-limited or probationary appointment and who are in pay status for one-half of the regularly scheduled workdays and holidays in a pay period ranging from 1% for those employees with two years but less than five years of service to 4.5% for those employees with 25 or more years of service.

Provides for retention bonuses for the 2023-24 fiscal year as follows: (1) the school personnel described in Part I who are SHRA employees and continuously employed by the State or a public school unit from July 1, 2023 to October 31, 2023, a retention bonus of \$500 paid during November 2023 (specifies for otherwise eligible local education, employees eligibility for the bonus will be measured beginning not on July 1, 2023, but on the first day when staff report for the 2023-24 school year); (2) the school personnel described in Part I who are SHRA employees and continuously employed by the State or a public school unit from November 1, 2023 to March 31, 2024, a retention bonus of \$500 paid during April 2024; (3) all permanent

full-time State employees and local education employees who are continuously employed by the State or a public school unit from July 1, 2023, to October 31, 2023, and who earn an annual salary that does not exceed \$75,000 must be paid an additional retention bonus of \$250 paid during November 2023 by employers of State employees and local education employees; and (4) all permanent full-time State employees and local education employees who are continuously employed by the State or a public school unit from November 1, 2023, to March 31, 2024, and who earn an annual salary that does not exceed \$75,000 must be paid an additional retention bonus of \$250 paid during April 2024 by employers of State employees and local education employees. Specifies that the funds appropriated for retention bonuses in excess of the amounts required to implement these bonuses will revert and not be credited to the Pay Plan Reserve. Specifies how bonuses are to be paid and treated in terms of whether they are categorized as salary.

Provides for the following COLAs for community college personnel by the State Board of Community Colleges (SBCC): (1) effective July 1, 2023, a 5% across-the-board increase for all faculty and non-faculty personnel and (2) effective July 1, 2024, a 3% across-the-board increase for all faculty and non-faculty personnel. Sets a minimum salary schedule, based on education, for nine-month, full-time curriculum community college faculty for the 2023-25 fiscal biennium, ranging from \$42,267 (FY 23)/\$43,535 (FY 24) for those with a vocational diploma/certificate or less to \$50,928 (FY 23)/\$52,456 (FY 24) for those with a doctoral degree. Specifies that no full-time faculty member may earn less than the minimum salary for their education level. Provides that the pro rata hourly rate of the minimum salary for each education level shall be used to determine the minimum salary for part-time faculty members.

For the UNC system, directs that SHRA employee salaries will be increased as described in the SHRA 5%/3% raise scheme in 2023 and 2024, respectively, set forth above. Authorizes the Board of Governors to provide EHRA employees a salary increase pursuant to policies adopted by the board for one or more of the following purposes: merit pay, across-the-board increases, recruitment bonuses, retention increases, and other compensation increase pursuant to those policies. Requires the Board of Governors to report on the use of compensation to the General Assembly by March 1 of each year of the biennium.

Sets an annual salary schedule for correctional officers, based on experience and job class, for the 2023-25 fiscal biennium ranging from \$36,871 in FY 23 and \$39,977 in FY 24 for correctional officers classified as COI to \$53,001 in FY 23 and \$54,591 in FY 24 for correctional officers classified as COIII.

Sets an annual salary schedule based on the officer's respective work experience, based on experience and job class, for law enforcement officers of the State Highway Patrol, Alcohol Law Enforcement, and the State Bureau of Investigation compensated pursuant to an experience-based salary schedule for the 2023-2025 fiscal biennium ranging from \$52,735 in FY 23 and \$54,317 in FY 24 for those with 0 years experience and \$76,949 in FY 23 and \$79,257 in FY 24 for those with 6 years or more of experience.

Sets an annual salary schedule for probation and parole officers, based on experience, for the 2023-25 fiscal biennium ranging from \$44,517 in FY 23 and \$45,853 in FY 24 for officers with 0 years experience to \$64,958 in FY 23 and \$66,907 in FY 24 for officers with 6 years or more of experience.

Specifies that employees of the schools operated by DHHS, DPS, and the Board who are paid on the Teacher Salary Schedule will be paid as authorized by the act and that employees of the School of Science and Mathematics of The University of North Carolina who are paid pursuant to a salary schedule adopted by the North Carolina School of Science and Mathematics Board of Trustees will be paid in accordance with the schedule adopted by that board.

Specifies that the COLAs authorized by the act will be paid on July 1 of each fiscal year of the 2023-25 fiscal year biennium and does not apply to persons who separated from service due to resignation, dismissal, reduction in force, death, or retirement or whose last workday is prior to June 30 of the 2023 and 2024 fiscal years, respectively. Provides for flexibility by the Director of the Budget (Director) to administer the act. Sets forth provisions related to the effective dates of State employer contribution rates for administrative purposes. Specifies that the administration provisions described in this paragraph apply to all employees paid by State funds, whether or not subject to or exempt from the SHRA, including employees of public schools, community colleges, and The University of North Carolina. Sets default salary increase date of June 30, 2023 and June 30, 2024, respectively for the following State personnel covered by the 5%/3% raise scheme in 2023 and 2024, respectively, set forth above, unless another requirement applies under other provisions of the act: permanent, full-time State officials and persons whose salaries are set in accordance with the SHRA, permanent, full-time State officials and persons in positions exempt from the SHRA, permanent, part-time State employees, and temporary and permanent hourly State employees.

Bars state agencies from using funds for salary increases for any other purpose. Requires the Office of Budget and Management (OMB) to ensure the appropriations are being used appropriately. Specifies that funds appropriated for COLAs and employee benefit increases cannot be used to adjust the budgeted salaries of vacant positions or to provide salary increases in excess of those required by the General Assembly except to increase the budgeted salary of any position to the minimum of the position's salary range and to meet retention pay needs. Authorizes the Director to reallocate funds if they find the funds are being used for other purposes. Specifies that the funds appropriated for COLA and employee benefit increases in excess of the amounts required will be credited to the Pay Plan Reserve. Requires OMB to report to the specified NCGA committee by no later than March 1 of each year of the 2023-25 biennium on the expenditure of funds for legislatively mandated salary increases and employee benefits with four specified matters that must be addressed.

During the 2023-25 fiscal biennium, permits State agencies, departments, institutions, the North Carolina Community College System, and The University of North Carolina to offer State employees the opportunity to use or to cash in special bonus leave benefits that have accrued pursuant to Section 28.3A of SL 2002-126, Section 30.12B(a) of SL 2003-284, Section 29.14A of SL 2005-276, and Section 35.10A of SL 2014-100, but only if all of the following requirements are met: (1) employee participation in the program is voluntary; (2) special leave that is liquidated for cash payment to an employee must be valued at the amount based on the employee's current annual salary rate; and (3) by September 1, 2024, and September 1, 2025, a report on the demographic information must be submitted to the respective agency head or employing agency and to the Fiscal Research Division.

Specifies that, effective July 1, 2023 and July 1, 2024, respectively, the total of the State's contribution rates for retirement and related benefits as a percentage of covered salaries for the 2023-24 fiscal year for teachers and State employees (TSERS), State law enforcement officers (LEOs), the University and Community Colleges Optional Retirement Programs (ORPs), the Consolidated Judicial Retirement System (CJRS), and the Legislative Retirement System (LRS) are as follows: 24.62% in FY 23 and 24.51% in FY 24 for TSERS; 29.62% in FY 23 and 29.51% for State LEO's; 14.07% in FY 23 and 14.25% in FY 24 for ORP's; 44.38% in FY 23 and 44.56% for CJRS; and 29.17% in FY 23 and 29.35% in FY 24 for LRS. Specifies that the rate for teachers and State employees and State law enforcement officers includes one one-hundredth percent (0.01%) for the Qualified Excess Benefit Arrangement.

Sets maximum annual employer contributions by the State to the State health plan are \$7,619 for employees and \$5,498 for retirees in FY 23 and \$8,153 for employees and \$5,641 for retirees in FY 24. Specifies that in applying this to retirees, the annual employer contribution for the average retiree must be calculated assuming the retiree enrollment counts remain at the specified levels.

Amends GS 135-5 (pertaining to benefits under TSERS), GS 135-65 (post retirement increases under CJRS), GS 120-4.22A (post retirement increases under LRS) as follows. From and after July 1, 2023, provides for a 2% COLA for certain beneficiaries who retired on or before July 1, 2022, and for employees who retired after July 1, 2022 and before June 30, 2023. Provides for proration. After September 1, 2023, but on or before October 31, 2023, provides for a one-time 2% COLA supplement payment will be paid on or behalf of living beneficiaries whose retirement began on or before September 1, 2023. Does not allow for proration. Sets forth provisions related to payment if the beneficiary dies before payment is made. Sets forth a 1% one-time COLA supplement payment to living beneficiaries who are living as of September 1, 2024, and whose retirement began on or before that date. Does not allow for proration. Sets forth provisions related to payment if the beneficiary dies before payment is made. Specifies that no beneficiary will be deemed to have acquired a vested right to any future supplemental payments.

Specifies the following appropriations effective July 1, 2023, to fund the pay increases and cost-of-living adjustments described above. Appropriates from the General Fund to the Reserve for Compensation Increases \$666,842,000 in recurring funds for the 2023-24 fiscal year and \$568,443,000 in nonrecurring funds for the 2023-24 fiscal year. Appropriates from the General Fund to the Reserve for Compensation Increases the sum of \$1,003,074,000 in recurring funds for the 2024-25 fiscal year and \$43,466,000 in nonrecurring funds for the 2024-25 fiscal year.

Part III

Appropriates from the General Fund to DHHS \$22.7 million in recurring funds for the 23-2024 fiscal year and \$36.3 million in recurring funds for the 2024-25 fiscal year to expand the Child Care WAGE\$ program, which provides salary supplements for early childhood educators. Requires the funds to be used to provide education-based supplements to low-wage educators and expand the program to all 100 counties in this State. Specifies that the Division must administer the WAGE\$ program in the same manner as the Infant-Toddler Educator AWARD\$ program.

Part IV

Enacts GS 105-163.6B (providing a tax credit to employers for wages paid). Defines term qualifying taxpayer to mean an employer or payer subject to income tax that has annual receipts for the most recent previous tax year of \$8 million or less. Permits qualifying taxpayers to take a credit equal to the lesser of \$10,000 or 5% of the wages paid by the qualifying taxpayer during the taxable year. Requires the Secretary to refund the excess to the qualifying taxpayer if the credit plus any other allowable credits exceed the tax imposed. Specifies provisions governing the refundable excess and methods of computation. Provides for substantiation by the qualifying taxpayer upon request of the Secretary. Effective for taxable years beginning on or after January 1, 2024, and sunsets for taxable years beginning on or after January 1, 2027.

Effective July 1, 2023.

Intro. by von Haefen, Gill, Charles Smith, Prather.

[APPROP, GS 105](#)

[View summary](#)

[Courts/Judiciary, Court System, Education, Preschool, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, General Assembly, State Agencies, Community Colleges System Office, UNC System, Department of Revenue, Office of State Budget and Management, State Government, State Personnel, Tax](#)

H 583 (2023-2024) [SUPPORT/EXPAND WORKFORCE IDD OPTIONS](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS TO EXPAND COMMUNITY EMPLOYMENT SERVICES PROVIDED BY THE DIVISIONS OF SERVICES FOR THE BLIND AND VOCATIONAL REHABILITATION SERVICES FOR CITIZENS WITH DISABILITIES*.

Appropriates \$128,400 in recurring funds for 2023-24 and \$385,000 in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Services for the Blind.

Appropriates \$458,000 in recurring funds for 2023-24 and \$1,375,000 in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Vocational Rehabilitation Services.

Funds shall be used for recruitment and retention of service-critical positions and to increase the rates to service providers to enhance capacity.

Effective July 1, 2023.

Intro. by Crawford, Blackwell, K. Baker, White.

[APPROP](#)

[View summary](#)

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

H 584 (2023-2024) [MOBILE HOME PARK ACT](#). Filed Apr 6 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*.

Identical to [S 633](#), filed 4/5/23.

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 accessory 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 Autry, Harrison, Ager, Quick.

GS 42, GS 105

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing, Government, State

H 585 (2023-2024) [SCHOOL PSYCHOLOGIST OMNIBUS](#). Filed Apr 6 2023, *AN ACT TO ENACT PROVISIONS RELATED TO IMPROVING THE NUMBER AND QUALITY OF SCHOOL PSYCHOLOGISTS IN NORTH CAROLINA*.

Identical to [S 448](#), filed 3/30/23.

Provides for salary supplements to school psychologists for the 2023-24 fiscal year to be provided in addition to any salary received under the teacher salary schedule, as follows: (1) \$650 per month and (2) for school psychologists who have a National Certified School Psychologist Credential, 12% of their monthly salary. Appropriates \$8.1 million in recurring funds from the General Fund to the Department of Public Instruction (DPI) for the compensation increase.

Enacts GS 115C-316.6, the school psychologists grant program, to provide funds to public school units for signing bonuses to recruit school psychologists subject to the following conditions: (1) DPI must prioritize the award of funds to public school units without a full-time psychologist at the time the application is submitted; (2) no individual bonus can be greater than \$5,000; (3) the school psychologist must agree to remain employed in the public school unit for at least one year; and (4) grants must be used to supplement, not supplant, State or non-State funds already used for these services. Sets forth application requirements and instructs the Superintendent of Public Instruction to develop criteria and guidelines for the administration of the grants. By no later than April 1, 2024, and annually thereafter in years where funds are awarded, requires the superintendent of DPI to report to the specified NCGA committee and division on the grant program. Appropriates \$1.7 million in recurring funds for 2023-24 from the General Fund to DPI for the grant program.

Requires DPI to reclassify at least one position within the department to serve as a full-time recruitment and retention coordinator to increase the number of school psychologists in public schools that have a demonstrated need that is difficult to fill by no later than September 1, 2023.

Enacts GS 115C-316.7 requiring DPI to establish an internship program for school psychologists in public school units. Sets forth stipend and field supervisor compensation. Appropriates \$5 million in recurring funds from the General Fund to DPI for the internship program.

Appropriates \$5 million in nonrecurring funds from the General Fund to the UNC Board of Governors for the 2023-2024 fiscal year to be allocated to Appalachian State University (ASU) to host a virtual school psychology training program at the ASU campus in Hickory, North Carolina.

Appropriates \$1.6 million in recurring funds from the General Fund to the UNC Board of Governors for the 2023-24 fiscal year to be allocated to five specified constituent institutions to support the school psychology programs at those institutions with the goal of doubling the number of school psychologists produced.

Effective July 1, 2023.

Intro. by K. Baker, Willis, D. Hall, Cotham.

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Department of Public Instruction, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health](#)

H 586 (2023-2024) [NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION](#). Filed Apr 6 2023, *AN ACT PROHIBITING NORTH CAROLINA TRANSPLANT CENTERS FROM DISCRIMINATING AGAINST INDIVIDUALS SEEKING TO DONATE OR RECEIVE AN ANATOMICAL GIFT OR ORGAN TRANSPLANT SOLELY ON THE BASIS OF THEIR COVID-19 VACCINATION STATUS*.

Identical to [S 644](#), filed 4/6/23.

Amends GS 130A-414.1 to add subsections (3a), (3b), and (3c), regarding COVID-19 vaccination status and a patient's right to healthcare and transplant eligibility, to the list of legislative findings and declaration of policy regarding organ transplants for persons with mental or physical disabilities. Makes corresponding changes to the statute.

Creates new GS 130A-414.5 (Organ transplant discrimination on the basis of COVID-19 vaccination status prohibited), which prohibits covered health care entities from discriminating solely on the basis of an individual's COVID-19 vaccination status and lists six prohibited activities related to organ donation and transplants. Requires a covered health care entity to make reasonable modifications to allow individuals who refuse COVID-19 vaccination to access transplant services.

Effective October 1, 2023.

Intro. by Cairns, Stevens, K. Baker, White.

GS 130A

[View summary](#)

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

H 587 (2023-2024) **NC GENETIC COUNSELORS WORKFORCE ACT**. Filed Apr 6 2023, *AN ACT TO ESTABLISH THE GENETIC COUNSELORS LICENSURE BOARD AND TO REGULATE THE PRACTICE OF GENETIC COUNSELING*.

Identical to [S 491](#), filed 4/3/23.

Amends GS Chapter 90 by enacting new Article 44, pertaining to genetic counselor licensure.

Defines the following terms ABGC (American Board of Genetic Counseling), ACGC (Accreditation Council for Genetic Counseling), ACS (Active Candidate Status conferred by the American Board of Genetic Counseling), Active Candidate Status (a person who has met the requirements established by the ABGC to take the ABGC certification examinations in general genetics and genetic counseling and has been granted this designation by ABGC), board, CEU, department, examination, genetic counseling, genetic counseling intern, genetic counselor, NSGC, qualified supervisor, reciprocity, referral, supervisee, supervision, and temporary license.

Establishes a five-member Genetic Counselors Licensure Board (Board) who serve staggered terms. All members must be State residents. Specifies that two members will be appointed by General Assembly, upon the recommendation of the Speaker of the House and President Pro Tempore of the Senate, respectively and will each serve three-year terms for their initial terms. The remaining three members will be appointed by the Governor, with the initial terms as follows: one to serve a three-year term, one to serve a two-year term and one public member to serve a one-year term. After expiration of the initial term, Board members will be appointed by the specified appointing authority for three-year terms. All except the public member must be licensed genetic counselors who will obtain licensure as soon as the first application period begins. Sets term limits of two consecutive terms. Specifies that a former member is eligible for appointment after a one-year period of not being a member of the Board. Provides for a process for filling vacancies. Bars Board members from participating in matters where they have a pecuniary interest or similar conflict of interest. Requires the Board to meet at least twice a year. Sets forth quorum and rules pertaining to how additional meetings may be called. Requires the Board to annually elect a chair, vice-chair, and secretary.

Bars the Board members from receiving compensation but allows for per diem and necessary travel expenses. Allows them to hire staff and to fix staff compensation. Bars the Board from employing staff to perform inspectional or ministerial tasks for the Board. Emphasizes that the State will not be liable for expenses incurred by the Board in excess of the income derived from Article 44.

Specifies that the Governor may remove a Board member for all of the following: (1) ceases to meet the qualifications specified in the act; (2) fails to attend three successive Board meetings without just cause as determined by the remainder of the Board; (3) is found by the remainder of the Board to be in violation of the provisions of Article 44 or to have engaged in immoral, dishonorable, unprofessional, or unethical conduct, and the conduct is deemed to compromise the integrity of the Board; (4) is found guilty of a felony or an unlawful act involving moral turpitude by a court of competent jurisdiction or is found to have entered a plea of nolo contendere to a felony or an unlawful act involving moral turpitude; (5) is found guilty of malfeasance, misfeasance, or nonfeasance regarding Board duties by a court of competent jurisdiction; and (6) is incapacitated and without reasonable likelihood of resuming Board duties, as determined by the Board.

Specifies the following powers and duties of the Board:

- Administer, coordinate, and enforce the provisions of Article 44.
- Adopt, amend, or repeal rules to administer and enforce Article 44.
- Establish and determine qualification and fitness of applicants for licensure under Article 44.
- Issue, renew, deny, suspend, revoke, or refuse to issue or renew any license under Article 44.
- Establish fees for applications, initial and renewal licenses, and other services provided by the Board.
- Discipline individuals licensed under Article 44.

Specifies that the Board may empower any member to conduct any proceeding or investigation necessary to its purposes and may empower its agent or counsel to conduct any investigation necessary to its purposes, but any final action requires a quorum of the Board. Provides for official seal. Requires the Board to submit an annual report to the Governor of its activities since the preceding July 1, including (1) names of all licensed genetic counselors to whom licenses have been granted; (2) any cases heard or decisions rendered; (3) recommendations of the Board for future actions and policies; and (4) a financial report. Requires all Board members to sign the report and provides for a member to record a dissenting view.

Enacts GS 90-754, setting forth qualifications for licensure as a genetic counselor and an application process before the Board. Specifies that the applicant must meet the following criteria:

- Submit an application prescribed by the Board.
- Pay a fee determined by the Board.
- Provide satisfactory evidence of having certification as a genetic counselor by the ABGC.
- Is at least 18 years of age.
- Is of good moral character and conducts all professional activities in accordance with accepted professional and ethical standards.
- Has not engaged in any practice at any time that would be a ground for denial, revocation, or suspension of a license.
- Has submitted the required criminal history record, as required by law.
- Is qualified for licensure under the requirements of Article 44.

Allows for temporary licenses to be issued in certain circumstances and provides for reciprocity with other jurisdictions with substantially the same licensing requirements. Provides for an alternative application for licensure if the individual does not qualify as a genetic counselor under GS 90-754 but who has worked as a genetic counselor for at least 10 years preceding the enactment of Article 44 and provides documentation of all of the following: (1) has a master's or higher degree in genetics or a related field of study; (2) has never passed the ABGC certification examination; (3) submits three letters of recommendation from at least one genetic counselor who qualifies for licensure under this Article and a licensed physician; and (4) can provide documentation of attending NSGC-approved continuing education programs within the last five years. Except for temporary licenses, all licenses must be renewed every two years. Requires genetic counselors whose licenses have been suspended or revoked to return the original license to the Board.

Specifies that the scope of practice of genetic counseling includes all of the following:

- Obtain and evaluate individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, the patient's children, and other family members.
- Discuss the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for genetic or medical conditions.
- Identify, order, and coordinate genetic laboratory tests and other diagnostic studies as appropriate for the genetic assessment.
- Integrate genetic laboratory test results and other diagnostic studies with personal and family medical history to assess and communicate risk factors for genetic or medical conditions and diseases.
- Explain the clinical implications of genetic laboratory tests and other diagnostic studies and their results.
- Evaluate the client's or family's responses to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance.
- Identify and utilize community resources that provide medical, educational, financial, and psychosocial support and advocacy.
- Provide written documentation of medical, genetic, and counseling information for families and health care professionals.

Sets fee schedule. Sets forth requirements related to criminal history checks for all licensure applicants. Sets forth continuing education requirements.

Bars individuals from holding themselves out as genetic counselors unless licensed under Article 44.

Exempts an individual from the requirements of Article 44 if the following requirements are met: (1) any individual licensed by the State to practice in a profession other than genetic counseling when acting within the scope of the individual's profession and doing work of a nature consistent with the individual's training (the individual cannot hold themselves out to the public as a genetic counselor); (2) any individual employed as a genetic counselor by the State, as well as the federal government or an agency thereof, if the individual provides genetic counseling services solely under the direction and control of the organization by which the individual is employed; (3) a student or intern enrolled in an ABGC-accredited genetic counseling educational program if genetic counseling services performed by the student are an integral part of the student's course of study and are performed under the direct supervision of a licensed genetic counselor assigned to supervise the student and who is on duty and available in the assigned patient care area and if the person is designated by a title "genetic counseling intern."

Sets forth a 16-prong code of conduct, a violation of which are grounds for discipline, which may include denying, suspending, or revoking licensure and may place on probation, limit practice, and require examination, remediation, and rehabilitation of any applicant or licensee by the Board. Allows for alternate sanctions in lieu of denial, suspension, or revocation of a license. Allows the Board to enter into consent orders with the licensee or applicant in lieu of or in connection with any disciplinary proceeding or investigation. Permits the Board to seek a court order for a physical or psychological evaluation if the Board is considering whether an applicant or licensee is physically or mentally capable of practicing. Requires disciplinary procedures to conform to the APA, including its hearing provision. Clarifies that no applicant or licensee is entitled to hearing for failure to pass an examination. Specifies that an individual whose license has been denied or revoked may reapply to the Board for licensure after the passage of one calendar year from the date of the denial or revocation. Provides that a licensee may voluntarily relinquish a license at any time with the consent of the Board. Allows the Board to delay or refuse granting consent as necessary in order to investigate any pending complaint, allegation, or issue regarding violation of any provision of Article 44 by the licensee. Notwithstanding any provision to the contrary, clarifies that the Board retains full jurisdiction to investigate alleged violations of Article 44 by any individual whose license is relinquished under this subsection and, upon proof of any violation of Article 44 by any individual, the Board may take disciplinary action.

Effective October 1, 2024.

Requires the Board to adopt temporary rules to implement the act, which remain in effect until permanent rules are adopted and go into effect.

Requires that the initial appointments of the Board must be made on or before October 1, 2023, with the initial terms to commence on January 1, 2024.

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

GS 90

[View summary](#)

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

H 588 (2023-2024) **UNIFORM PARTITION OF HEIRS PROPERTY ACT**. Filed Apr 6 2023, *AN ACT TO ENACT THE UNIFORM PARTITION OF HEIRS PROPERTY ACT*.

Identical to [S 548](#), filed 4/4/23.

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

Requires a court, in a proceeding to partition real property under Article 2 of GS Chapter 46A to determine whether the property is heirs property; if such a determination is made, then the property must be partitioned under this Part unless all of

the cotenants agree otherwise in a record. Sets out the procedure for notice by posting when a petitioner in a partition proceeding seeks authorization for notice by publication and the court decides that the property may be heirs property. Requires any commissioners appointed to partition the property by the court to be disinterested and impartial and not a party to or a participant in the proceeding.

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

Requires the court, when any cotenant requested partition by sale, after the determination of value, to send notice that any cotenant except one requesting partition by sale, may buy all of the interests of the cotenants making the request. Allows any cotenant, except the one requesting partition by sale, to give notice to the court no later than 45 days after the notice is sent stating that they elect to buy all interest of the cotenant requesting partition by sale. Sets out the process for determining the purchase price. Sets out procedures that apply at the end of the 45 days, varying based on how many of the cotenants (including, none) elect to buy the interests of the cotenant requesting partition by sale, including setting deadlines by which the electing cotenants must pay their apportioned price. Allows a cotenant who is entitled to buy an interest to request, no later than 45 days after the court sends notice to the parties, that the court authorize the sale as part of the pending proceeding of the interests of cotenants named as respondents and served with the complaint but that did not appear in the proceeding; allows the court to deny the request or authorize the requested additional sale on fair and reasonable terms, subject to the stated limitations.

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

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

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

Makes conforming changes to GS 46A-26.

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

Intro. by K. Hall, White, Reives.

GS 46A

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Development, Land Use
and Housing, Property and Housing**

H 589 (2023-2024) **PROTECT WHISTLEBLOWER LEOS FROM RETALIATION**. Filed Apr 6 2023, *AN ACT PROTECTING FROM RETALIATION LAW ENFORCEMENT OFFICERS THAT REPORT THE USE OF EXCESSIVE FORCE OR OTHER IMPROPER OR UNLAWFUL ACTIVITY*.

Identical to [S 534](#), filed 4/4/23.

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

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

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

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

Intro. by Zenger, Hardister, K. Brown, Cotham.

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

[View summary](#)

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

H 590 (2023-2024) [INCREASE PUNISHMENT FOR CARGO THEFT](#). Filed Apr 6 2023, *AN ACT TO AMEND THE OFFENSE OF BREAKING OR ENTERING INTO OR BREAKING OUT OF RAILROAD CARS, MOTOR VEHICLES, TRAILERS, AIRCRAFT, BOATS, OR OTHER WATERCRAFT*.

Identical to [S 409](#), filed 3/29/23.

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

- An offense is a Class H felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$1,500, but no more than \$20,000, aggregated over a 90-day period, or if all of the following conditions are met: (1) the railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind is owned or operated by any law enforcement agency, the North Carolina National Guard, or any branch of the Armed Forces of the United States; (2) the person knows or reasonably should know that the railroad car, motor vehicle, trailer, aircraft, boat, or other watercraft of any kind is owned or operated by any law enforcement agency, the North Carolina National Guard, or any branch of the Armed Forces of the United States; (3) the offense does not involve the taking of goods, wares, freight, or any other thing of value that would be punishable under any other felony classifications set forth in GS 14-56.
- An offense is a Class G felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$20,000, but not greater than \$50,000, aggregated over a 90-day period.
- An offense is a Class F felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$50,000, but no more than \$100,000, aggregated over a 90-day period.
- An offense is a Class C felony if the goods, wares, freight, or other thing of value taken has a value exceeding \$100,000 aggregated over a 90-day period.
- Contains a catchall, classifying an offense as a Class I felony for any other conduct that falls that falls within GS 14-56 that is not covered by the other felony classifications.

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

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

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

Intro. by Carson Smith, Reives, Miller, Pyrtle.

GS 14

[View summary](#)

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

PUBLIC/SENATE BILLS

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

Senate amendment to the 2nd edition makes the following changes.

Amends GS 7B-2101 by adding that if a juvenile age 16 or older requests that a parent, guardian, or custodian be present during questioning, then law enforcement must make a reasonable effort to contact the parent, guardian, or custodian; allows a caretaker to be present during questioning if one of those individuals is not available.

Intro. by Britt, Sanderson, McInnis.

GS 7B

[View summary](#)

Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Government, State Agencies, Department of Public Safety

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

Senate amendment to 1st edition makes the following changes.

Part I

Amends GS 62-10 as follows. Reduces the number of commissioners on the NC Utilities Commission from proposed change of nine to five, with the appointing authorities designated as follows: two by the Governor, one by the General Assembly, upon the recommendation of the Speaker of the House of Representatives, one by the General Assembly, upon the recommendation of the President Pro Tempore of the Senate, and one by the State. Changes the end-date of each commissioner's six-year term from July 1 to June 30. Removes language setting forth an appointment schedule to increase the number of commissioners and instead specifies that two of the three terms expiring on June 30, 2025, will expire and no additional appointments for those terms will be made. Allows the State Treasurer to appoint the remaining 2025 vacancy.

Part V

Amends GS 143B-350, pertaining to the composition of the Board of Transportation, to specify that each highway division will have at least one voting member that is a resident of that highway division appointed either by the President Pro Tempore of the Senate or the Speaker of the House (was, President Pro Tempore of the Senate and the Speaker of the House each appointed seven members).

Part VII

Amends GS 143-242 (pertaining to vacancies by death, resignation, or otherwise on the NC Wildlife Resources Commission [WRC]) to specify that appointments to fill vacancies appointed by the Commissioner of Agriculture will be made by that

commissioner for the balance of the unexpired terms of a member from the State at large. Makes conforming and technical changes to the effective date.

Changes the effective date of the act to when it becomes law instead of July 1, 2023. Makes conforming changes to the effective dates in Parts II and IV.

Intro. by Daniel, Rabon, Berger.

GS 62, GS 113A, GS 116, GS 124, GS 130A, GS 143, GS 143B

[View summary](#)

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

S 539 (2023-2024) [SMALL BUSINESS TRUTH IN FINANCING](#). Filed Apr 4 2023, *AN ACT TO ENACT THE SMALL BUSINESS TRUTH IN FINANCING ACT*.

Enacts Article 26 to GS Chapter 53 to be cited as the "Small Business Truth in Financing Act." Sets forth 13 defined terms. Excludes from the scope of the Article: financial institutions (including its holding company, subsidiaries, and affiliates under common ownership, direction, or control); lenders regulated under Chapter 23 (Farm Credit System) of Title 12 of the US Code; persons that make no more than five commercial financing transactions in the State in a 12-month period; a motor vehicle dealer or any affiliate, employee, or agent of a dealer or any person or entity providing financing for the purchase of a motor vehicle or a recreation vehicle; any officer or employee of an entity above when acting within the scope of their employment; and a person that is presenting a financing offer on behalf of an exempt person. Extends the exemption to persons providing technology services for commercial financing to a person exempt to the extent the person is acting only in that capacity and has no interest in the commercial financing extended by the exempt entity. Exempts the following transactions from the scope of the Article: commercial financing transactions secured by real property; commercial financing transactions over \$500,000; leases of goods, as defined by the Uniform Commercial Code; and the sale, lease, rental, or subscription of a motor vehicle by a licensed motor vehicle dealer. Also exempts consumer finance companies licensed and doing business under Article 15 (North Carolina Consumer Finance Act) of GS Chapter 53 or doing business pursuant to GS Chapter 25A (Retail Installment Sales Act). Establishes required disclosures by providers to recipients based on types of financing as follows. Defines a *provider* as a person that extends a specific offer (as defined) of commercial financing to a recipient, including that made on behalf of a third party.

Mandates that a prover give 10 described disclosures to a recipient at the time of extending a specific offer of *sales-based financing*, defined as a type of financing in which the recipient's repayment is based on the recipient's volume of sales or revenue, including (1) the total amount of the commercial financing; (2) the finance charge; (3) the estimated annual percentage rate; and (4) the total repayment amount, or the disbursement amount plus the finance charge. Details two methods, the historical method and the opt-in method, for the provider to calculate the recipient's projected sales volume, of which the provider must elect one to use for all of its sales-based financing and notify the Commissioner of Banks (Commissioner) of its election.

Mandates that a provider give 10 described disclosures to a recipient at the time of extending a specific offer of *closed-end financing*, defined as a type of commercial financing consisting of a closed-end extension of credit, secured or unsecured, including equipment financing. Required disclosures include: (1) the total amount of the commercial financing; (2) the finance charge; (3) the annual percentage rate; (4) the total repayment amount, or the disbursement amount plus the finance charge; and (5) a description of any collateral requirements or security interests.

Mandates that a provider give 10 described disclosures to a recipient at the time of extending a specific offer of *open-end financing*, defined as a type of commercial financing consisting of an agreement for one or more extensions of open-end credit, secured or unsecured, as described. Required disclosures include: (1) the maximum amount of credit available to the recipient, (2) the amount scheduled to be drawn by the recipient, (3) the finance charge, (4) the annual percentage rate, and (5) the total repayment amount or the draw amount plus the finance charge. Details two methods, the total credit method and the comparable method, for the calculation of the finance charge, the annual percentage rate, the total repayment amount, and the

payment amount, and requires notifying the Commissioner of Banks of its election. Sets out factors to be considered by the Commissioner when determining whether the deviations between disclosed estimates are too great.

Mandates that a provider give seven described disclosures to a recipient at the time of extending a specific offer for a *factoring transaction*, defined as a type of commercial financing that includes an agreement to purchase, transfer, or sell a legally enforceable claim for payment held by a recipient for goods the recipient has supplied, or services the recipient has rendered, that have been ordered but for which payment has not yet been made. Required disclosures include: (1) the purchase amount or the amount of accounts receivable purchased from the recipient, (2) the finance charge, (3) the estimated annual percentage rate, (4) the total repayment amount or the purchase amount plus the finance charge, and (5) a description of the receivables purchased and any additional collateral requirements or security interests.

Mandates that a provider give 10 described disclosures to a recipient at the time of extending a specific offer of commercial financing other than sales-based financing, open-end financing, closed-end financing, or a factoring transaction. Required disclosures include: (1) the total amount of the commercial financing; (2) the finance charge; (3) the annual percentage rate; (4) the total repayment amount, or the disbursement amount plus the finance charge; and (5) a description of any collateral requirements or security interests.

Mandates that a provider give two described disclosures to a recipient at the time of extending a specific offer of new commercial financing, where the provider requires the recipient to pay off some or all of the balance of an existing commercial financing from the same provider as a condition of obtaining new commercial financing. Required disclosures include: (1) the amount of the new commercial financing that will be used to pay off any prepayment charge or unpaid interest and (2) the amount by which the disbursement amount will be reduced if that amount will be reduced to pay off a portion of the balance.

Requires all mandated disclosures under the Article to be presented to the recipient as a separate document from all other information to be signed by the recipient, and requires the provider to obtain the recipient's signature before proceeding with the transaction. Prohibits providers from using the term "rate" in describing a metric other than the APR or estimated APR in additional information presented to the recipient. Sets out when the term "interest" can be used and provides for the appropriate use of the term "annual percentage rate/APR." Allows, when the Commissioner determines that the laws of another state require commercial financing disclosures that meet or exceed the Article's requirements, the use of any commercial financing disclosure form that the other state approves.

Requires providers to register with the Commissioner of Banks. Details requirements for registration. Sets the application and renewal fee at \$1,000; requires renewal every five years. Charges covered entities with filing correcting amendments to material registration information.

Requires filing a correcting amendment to information in documents filed with the Commissioner any time information becomes inaccurate or incomplete.

Allows recipients to file complaints with the Commissioner and allows the Commissioner to investigate providers.

Makes confidential information obtained by the Commissioner under the Article but allows the Commissioner to enter into agreements with specified entities to share otherwise confidential information. Privacy and confidentiality requirements continue to apply to disclosed information.

Empowers the Commissioner to adopt rules to enforce the Article, with a right for an aggrieved person to appeal to the State Banking Commission for review within 20 days of adoption or issuance. Authorizes the Commissioner to take the following enforcement actions for violations of the Article, subject to notice and opportunity for hearing: (1) order a provider to cease and desist from violations of the Article and (2) assess a civil penalty of up to \$2,000 per violation or \$10,000 for each willful violation. Specifies that these powers are in addition to other enforcement powers of the Commissioner.

Applies to transactions occurring on or after May 1, 2023.

Section 1

Amends GS 136-44.2E concerning the Transportation Emergency Reserve (Emergency Reserve), as follows. Amends the allowable uses of the \$125 million annually transferred from the Highway Fund to appropriate the funds for expenses related to an unreimbursed expenditure arising from an emergency (was, expenses related to an emergency). No longer requires that the funds be used in a manner that ensures the funds are eligible for federal reimbursement or cost sharing and instead requires that the funds be used for unreimbursed expenditures arising from an emergency, specifying that funds may be used for a past or present emergency. Amends the reporting timing so that the report is now due no later than February 1 of the year following a year in which funds in the Emergency Reserve were used (was, due biennially no matter the use of funds). Effective July 1, 2023.

Section 2

Authorizes DOT to establish and implement a pilot project to award contracts for up to five transportation projects using the Progressive Design-Build procurement process, as described to include two distinct phases and contracts for (1) preconstruction activities and (2) completion of preliminary designs and construction of the project. Establishes five qualifications that must be met for award of a contract: (1) DOT determination that the project cost is less than \$500 million, (2) DOT determines that the Progressive Design-Build process is in the public's interest, (3) DOT prequalifies the prime contractor and lead design firm that will be awarded the contract, (4) DOT complies with the described pre-award reporting requirements, and (5) DOT establishes and implements Progressive Design-Build Guidelines as directed. Requires DOT to submit a pre-award report to the specified NCGA committee describing the project and the reasons this procurement process will serve the public interest and submit a post-completion report to the specified NCGA committee and division detailing the project results. Directs DOT to develop and implement Progressive Design-Build Guidelines for awarding contracts under the pilot program. Sunsets these provisions upon submission of the post-completion report for the final project completed under this authority.

Section 3

Amends Section 34.13 of SL 2018-5 (2018 Appropriations Act), as amended by Section 21, SL 2022-68, authorizing DOT to establish and implement a pilot project to award contracts for up to eight projects (was capped at five projects) for the construction of transportation projects on a construction manager-general contractor basis, subject to specified limitations and cost caps.

Section 4

Repeals the reporting requirement in GS 136-93.1A(g), which requires DOT to annually report to the specified NCGA committee on the number of times in the preceding year that DOT failed to communicate the scope of a traffic impact analysis to an applicant within 10 business days of receipt of the scope proposed by the applicant as required by subdivision (a)(1) of the statute.

Section 5

Repeals the reporting requirement in GS 143C-6-11(m), which requires DOT to report to the specified NCGA committee and division when the combined average daily cash balance of the Highway Fund and Highway Trust Fund is outside the target range defined by subdivision (k)(1), which requires transportation project funding to be between 15-20% of the total appropriations of the current fiscal year from those funds.

Section 6

Amends GS 136-28.1 relating to DOT's letting of contracts to bidders after public advertising, adding a new subsection to authorize DOT to specify a brand name or specific manufacturer of construction materials for promotion of listed purposes, including system compatibility or synchronization and product evaluation.

Section 7

Amends GS 136-19.4 regarding registration of right-of-way plans. Removes requirements for copies of profile sheets to be certified by DOT to the register of deeds within which the project is located. Eliminates the requirement for DOT to certify to the register of deeds a copy of amended final right-of-way plans approved by the Board of Transportation within two weeks from their adoption, and the directive for the clerk to remove original plan sheets and record the amended sheets in lieu thereof. Makes conforming changes.

Section 8

Amends GS 136-76.2 to include the installation of culverts associated with the State highway system on non-outlet roads to those activities funded by the "bridge program" not required to be outsourced to private contractors (previously excepted this activity only in cases of emergency and did not specify installation on non-outlet roads only).

Section 9

Amends Section 41.7, SL 2022-74, to require funds transferred to the Highway Trust Fund Advance Right-of-Way Acquisition Account to be used by DOT to purchase property under the Advance Acquisition Program (Undue Hardship Advance Acquisition Program). Eliminates required quarterly reporting to the specific NCGA committee and division regarding DOT's required streamlining the Undue Hardship Program under the provision.

Section 10

Amends SL 2018-16, the Build NC Bond Act of 2018, extending the sunset date of the act from December 31, 2028, to December 31, 2030.

Section 11

Amends GS 136-89.213 to authorize the Turnpike Authority to contract to exchange information with insurance companies to identify motor vehicles and owners relating to toll collection.

Section 12

Adds to the information that must be included in a toll bill under GS 136-89.214 to include the vehicle's VIN or other identifying information of the motor vehicle that traveled the Turnpike project. Allows the Authority to use digital communication and methods to obtain information for a registered vehicle owner through verification of phone numbers, vehicle apps, and other digital means to pursue a bill by first-class mail. Applies to toll collection for vehicle use on a Turnpike project occurring on or after July 1, 2023.

Section 13

Increases the cap for toll bill processing fees under GS 136-89.215 from \$6 to \$9. Increases the cap on the amount of annual processing fees that may be charged to one person in a 12-month period from \$48 to \$72. Applies to toll collection for vehicle use on a Turnpike project occurring on or after July 1, 2023.

Section 14

Amends GS 20-146.2 relating to HOV lane restrictions, to remove the following from the list of HOV lane restriction exemptions: motorcycles; vehicles designed for 15 or more passengers, plug-in electric vehicles, dedicated natural gas vehicles, and fuel cell electric vehicles. Adds to the exemption publicly operated buses and transit vehicles.

Section 15

Amends GS 126-6.3 to exempt the Ferry Division from the required use of the Temporary Solutions Program for temporary employment when there is an established need for peak season hires or when the expertise requires a specific skillset beyond the scope of temporary employees.

Section 16

Amends GS 136-82(f3) to limit priority boarding passes for commercial vehicles boarding ferries to one annual pass per vehicle each year. Increases the price of the pass from \$150 to \$500. Adds further limitations to limit use of the priority boarding passes, establishing windows of authorization as follows: for ferries departing Hatteras, between 10:00 a.m. and 4:00 p.m.; and for ferries departing Ocracoke, between 4:00 p.m. and 9:00 p.m. Additionally provides that no more than 10 vehicles

can priority board a ferry per one-way trip during these authorized times. Applies to applications for priority passes submitted on or after July 1, 2023.

Section 17

Amends GS 136-82 by adding a requirement that the Board of Transportation establish resident vehicle priority passes for the Hatteras-Ocracoke ferry route. Lets the Board set the amount of the pass fee and sets out evidence of residency that must be provided to obtain a pass. Effective July 1, 2023.

Section 18

Repeals GS 63-74.5(2), removing from the Division of Aviation's annual reporting requirements to the specified NCGA committee and division summaries of activities related to unmanned aircraft systems.

Section 19

Amends GS 136-44.36, authorizing DOT to administer State and federal revitalization programs within adjoining states upon agreement with the adjoining state entity.

Section 20

Adds a new section to Part XLI, SL 2022-74, directing that the \$7.527 million in nonrecurring funds appropriated to DOT, Rail Division for 2022-23 for the S-Line rail corridor can also be used for a future grant to develop S-Line beyond the CRISI grant announced from Fiscal Year 2021 funds.

Section 21

Replaces the language of GS 136-133.1(a), which defines *maximum cut or removal zones* for outdoor advertising sign owners who have obtained a selective vegetation removal permit, with changes to the maximum cut or removal zone for vegetation determination parameters as follows. Changes the description of the sign face points and determines that lines drawn from point A, B, C, and D define the limits of the vegetation cut or removal area. Sets view zone distances based on the travel way's speed limit. Adds new authority for owners or their designees to cut vegetation within any area on the State right-of-way located between viewing zones of two sign faces or otherwise within any areas measured perpendicular from any point on the sign structure to the edge of the pavement of the main traveled way, subject to a fee of \$100 per caliper inch. Additionally revises vegetation that may be removed without a permit under subsection (g), except for native dogwoods and native redbuds, to include vegetation located within 300 feet on either side of the existing sign location (was within 200 feet on either side of the existing sign location as defined by previously described points A and B). Makes conforming changes.

Replaces the language of GS 136-133.2 concerning the issuance of a selective vegetation removal permit with the following. Allows for granting a permit for locations that have been permitted for at least the two years prior to application. Requires approval or denial within 30 days of an application with required fee and documentation. Deems applications approved which are not given written approval or denial within 30 days. Provides for written notice of reasons for denial. For all other permit applications, allows for granting permits for locations where outdoor advertising has been relocated under GS 136-131.5 that otherwise comply with the statute's requirements and DOT rules. Prohibits denial of a new site for relocation due to the presence of vegetation obstructing the visibility of the advertising from the viewing zone. Requires the owner or operator be permitted to improve the visibility zone by removing any vegetation on private property subject to written consent of the landowner. Applies to applications for selective vegetation removal permits submitted on or after July 1, 2023.

Section 22

Authorizes DOT to enter into agreements with the NC SBI, with the SBI acting on its own behalf or as an administrative agency of a local law enforcement agency of the State pursuant to authority granted by these provisions, for the placement and use of automatic license plate reader systems within land or rights-of-way owned by DOT as part of a pilot program, subject to six qualifications, including: the use of the land is temporary; the system is above ground, removeable, and contains no combustible fuel; and the system is operated in accordance with GS Chapter 20, Article 3D. Requires termination and removal by DOT upon request by any affected public utility. Allows DOT or public utilities to relocate the system for immediate access to utilities, with liability limited to gross negligence or willful misconduct, and subject to notification to the SBI. Defines *public utility*. Effective July 1, 2023; expires June 1, 2024, with any agreement entered into under the pilot program terminating no later than that date.

Requires the SBI to submit a report to the specified NCGA committees by March 1, 2024, on systems placed on rights-of-way owned or maintained by DOT as specified. Effective July 1, 2023.

Repeals Section 41.57(a) and (c), SL 2021-180, which enacts GS 136-27.3A (Relocation of automatic license plate reader systems) and GS 20-183.32A (Report on automatic license plate reader systems). Effective July 1, 2023.

Amends GS 20-183.30, adding new defined terms to Article 3D, Automated License Plate Reader Systems. Defines *criminal justice officer* by statutory cross-reference. Defines *law enforcement purpose* to include (1) actions related to criminal investigations, arrests, prosecutions, post-conviction confinement, or supervision; (2) apprehending an individual with an outstanding felony warrant; (3) locating a missing or endangered person; or (4) locating a lost or stolen vehicle.

Defines *missing or endangered person* to mean a person who has been identified as a missing or endangered person by one of three listed sources, including the National Criminal Information Center and law enforcement agency "be on the lookout" bulletins. Effective July 1, 2023.

Amends GS 20-183.31 to limit access and disclosure of data obtained by a law enforcement agency under the Article 3D to law enforcement purposes, as that term is now defined by the Article (was, for law enforcement or criminal justice purposes). Effective July 1, 2023.

Amends GS 20-183.32 to limit disclosure of captured plate data to criminal justice officers of State or local law enforcement agencies or similar officials at a federal law enforcement agency for a legitimate law enforcement purpose pursuant to a written request from the requesting agency (previously limited disclosure to federal, State, or local law enforcement agencies for a legitimate law enforcement or public safety purpose pursuant to such written request).

Effective July 1, 2023.

Section 23

Adds DOT to the list of agencies authorized to implement and enforce State and federal environmental laws under GS 150B-19.3, limiting DOT from adopting more restrictive standards, limitations, or requirements than those imposed by federal law or rule unless otherwise specified.

Section 24

Amends GS 105-164.44M to require the Secretary of Revenue to monthly rather than quarterly transfer the net proceeds of sales and use taxes collected at the general rate to the Highway Fund and Highway Trust Fund. Effective July 1, 2023.

Section 25

Amends GS 143C-6-11 regarding DOT's required monthly financial statement reports to require the report include projected revenues and Spend Plan for the next 12-month period rather than 18-month.

Intro. by McInnis, Sawyer, Lazzara.

[STUDY, GS 20, GS 63, GS 105, GS 126, GS 136, GS 143C, GS 150B](#)

[View summary](#)

[Courts/Judiciary](#), [Motor Vehicle](#), [Environment](#), [Government](#), [Tax](#), [Transportation](#)

S 582 (2023-2024) [NORTH CAROLINA FARM ACT OF 2023](#). Filed Apr 4 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE AGRICULTURAL AND WASTEWATER LAWS OF THIS STATE*.

Section 1

Amends GS 105-277.3, which defines three classes of property (agricultural land, horticultural land, and forestland) eligible for taxation on the basis of the value of the property in its present use under GS 105-277.4. Amends the income requirement of the class of property defined as agricultural land, which requires the land to have produced an average gross income of at least \$1,000 for the preceding three years to claim the benefit, to no longer exclude honey sales from the computation of gross

income from agricultural land (currently includes income from the sale of products derived from beehives other than honey). Effective for taxable years beginning on or after July 1, 2023.

Section 2

Amends GS 136-32, which bars placing commercial or political advertising signs on highways, traffic signs or signals. Authorizes placement of farm signs in the right-of-way of the State highway system during a farm's seasonal operation, provided placement complies with the statute's existing limitations established for permitted political signs, including requiring the person to obtain the property owner's permission for placement and regulating the signs' placement and size. Defines *farm* as any property that is used for a bona fide farm purpose under GS Chapter 106-581.1. Defines *farm sign* as a sign that advertises a farm, products grown, raised, or produced on a farm, or services provided on a farm, or that provides customers with directions to a farm. Makes conforming changes. Requires removal by the end of the farm's season. Authorizes removal of signs remaining more than 30 days after the end of the farm's seasonal operation, without penalty.

Section 3

Amends GS 20-4.01 to exclude from the definition of *property-hauling vehicles*, applicable to the motor vehicles laws of GS Chapter 20, a fifth-wheel trailer, recreational vehicle, semitrailer, or trailer used exclusively or primarily to transport vehicles in connection with motorsports competition events.

Section 4

Enacts GS 90-187.17, pertaining to inspections conducted by the Veterinary Medical Board (Board), requiring the Board to provide one weeks' written notice of any upcoming inspection to the veterinarian along with a checklist of all standards for which the Board may issue a violation and the conditions that would constitute a violation. Permits electronic notice. Allows for rescheduling at the request of the veterinarian for no later than one week after the originally scheduled date of inspection. Effective October 1, 2023.

Section 5

Amends GS 115C-12 to require the State Board of Education to ensure 100% muscadine grape juice (muscadine grape juice) is available in schools for students with visual and hearing impairments operated under Article 9C of GS Chapter 115 as part of the school's nutrition program or through the school's vending facilities. Enacts GS 115C-264.5, GS 115C-218.75(k), GS 115C-238.66(19), and GS 116-239.8(b)(4)c. to charge local boards of education, charter schools, regional schools, and laboratory schools with the same duty to ensure muscadine grape juice is available to students as part of the school's nutrition program or through the school's vending facilities. Applies beginning with the 2023-24 school year.

Similarly, amends GS 115D-20 to require the State Board of Community Colleges to make available muscadine grape juice as a beverage option in the operation of the community college's vending facilities. Enacts GS 116-43.25 to require UNC constituent institutions to make muscadine grape juice available as a beverage option in the operation of the institution's vending facilities. Applies beginning with the 2023-24 academic year.

Section 6

States legislative findings. Authorizes the Department of Natural and Cultural Resources (DNCR) to add the Equine State Trail in Chatham, Cumberland, Harnett, Hoke, Lee, Montgomery, Moore, and Richmond Counties to the State Parks System as a State Trail pursuant to State law. Directs DNCR to support and facilitate the establishment of trail segments on State park lands and lands of other federal, State, local, and private landowners. Provides for governing law of property controlled by other agencies or owners other than DNCR's Division of Parks and Recreation. Exempts the described authority from the requirements of GS 143B-135.54(b), pertaining to adequate appropriations required for land acquisitions, development, and operations. Authorizes the State to receive land donations and purchased other needed lands with existing funds in four specified State Funds and through other available sources of funding.

Section 7

States legislative findings. Amends GS 145-18(a) to replace the Scuppernong grape as the official State fruit with the Muscadine grape.

Section 8

Amends GS 145-3 to designate the longleaf pine as the emblem representing the trees of North Carolina.

Section 9

Amends GS 106-966, modifying the definition of *prescribed burning* applicable to the Prescribed Burning Act, now defining the term to mean the planned and controlled application of fire to vegetative fuels under specified weather and environmental and other conditions (was, to naturally occurring vegetative fuels under safe weather and safe environmental and other conditions), while following appropriate precautionary measure to confine the fire to a predetermined area and accomplish the intended management objectives. Now defines *prescription* to require the written plan to establish the conditions and methods for conducting a prescribed burn, in addition to requiring the plan to be prepared by a certified prescribed burner.

Amends GS 106-967, revising the immunity granted to landowners and their agents under the Prescribed Burning Act. Expands civil immunity granted to landowners and their agents who conduct a prescribed burning in compliance with state law from any damage or injury cause by fire, including reignition of a smoldering, previously contained burn, in addition to immunity granted for any damage or injury resulting from smoke. Limits civil immunity granted when a nuisance or damage results from gross negligence (was, negligently or improperly conducting prescribed burning).

Amends GS 106-968 to specify that the certified prescribed burner must prepare the prescription, provide the prescription to the landowner (previously, required to provide a copy to the landowner), and file the certified prescription with the Forest Service and DACS prior to conducting a prescribed burning. Requires the landowner and the certified prescribed burner on site to retain a copy of the certified prescription throughout the prescribed burning (previously, only the responsible burner was responsible for possessing a copy). Regarding the required content of the prescription, now requires the summary of the adequate methods for particular circumstances to be used to start, control, and extinguish the prescribed burning to address firebreaks and sufficient personnel and firefighting equipment to contain the fire within the burn area. Adds that fire spreading outside the authorized burn area on the day of the prescribed burn ignition does not constitute conclusive proof of inadequate firebreaks, insufficient personnel, or a lack of firefighting equipment; if the prescribed burn is contained within the authorized burn area during the authorized period, there is a rebuttable presumption that adequate firebreaks, sufficient personnel, and sufficient firefighting equipment were present; and continued smoldering of a prescribed burn resulting in a subsequent wildfire does not in itself constitute evidence of gross negligence, thereby eliminating the limited immunity granted in GS 106-967, as amended. Additionally, now requires the prescription to provide for reasonable notice of the prescribed burning to homes and businesses located adjacent to the burn site (was, nearby homes and businesses).

Section 10

Enacts GS 15A-300.4, making it unlawful for a person, entity, or State agency to use an unmanned aircraft system within either a horizontal or vertical distance of 3,000 feet, calculated as described, from any forest fire within the jurisdiction of the Forest Service. Establishes three exceptions, including persons with written consent from the official in responsible charge of the fire's management, law enforcement acting within the authority described in GS 15A-300.1(c), or Forest Service employees or persons acting at their direction. Sets seven distinct penalties for violations based on the resulting circumstances of the violation, ranging from a Class D felony for violations that proximately cause the death of another person, a Class G felony for violations that interfere with emergency operations and proximately cause damage to real or personal property or matter or thing growing or being on the land, to a Class A1 misdemeanor for violations not specifically covered by the prescribed felony violations. Subjects all violations to a penalty of at least \$1,000. Includes defined terms for various resulting injuries described in the statute's penalty provisions. Authorizes law enforcement to seize an unmanned aircraft system and any attached property used in violation of the statute, and subjects the property to forfeiture and disposition pursuant to State law. Provides the procedure for innocent owners or holders of security interest to apply for release of the property. Effective December 1, 2023, and applies to offenses committed on or after that date.

Section 11

Amends GS 14-135, which makes larceny of timber a Class G felony. Expands the offense to include: (1) knowingly and willfully aiding, hiring, or counseling an individual to cut down, injure, or remove any timber owned by another person without the consent of the owner of the land or the owner of the timber, or without a lawful easement running with the land; and (2) knowingly and willfully transporting forest products that have been cut down, removed, obtained, or acquired from the property of a landowner without the consent of the owner of the land or the owner of the timber, or without a lawful easement running with the land. Adds to the exceptions given for the offense persons who are electric power suppliers and either believed in good faith that consent of the owner had been obtained prior to aiding, hiring, or counseling the individual to cut

down, injure, or remove the timber, or that the cutting down, injuring, or removing of the timber was permitted by a utility easement or was necessary to remove a tree hazard. Makes the previous definition given for "tree hazard" apply to the entire statute. Adds and defines "person" to mean any individual, association, consortium, corporation, partnership, unit of State or local government, or other group, entity, or organization. Effective December 1, 2023, and applies to offenses committed on or after that date.

Section 12

Replaces the provisions of GS 106-1003, which requires all monies paid to the DACS Commissioner for forestry services and advice to forestland owners and operators under Article 82 to be deposited to the State treasury to the credit of DACS. Establishes the Forestry Services and Advice Fund within DACS, Forest Service, and requires all such monies for services rendered to be deposited into the Fund. Allows the Fund to also consist of any gifts, bequests, or grants for the benefit of the Fund, but bars crediting General Fund appropriations. Directs DACS to use the Fund to develop, improve, repair, maintain, operate, and otherwise invest in providing forestry services and advice to forestland owners and operators pursuant to Article 82.

Section 13

Amends GS 113A-52.01, which defines the scope of the Sedimentation Pollution Control Act, Article 4. Requires waters that have been classified as trout waters by the Environmental Management Commission to have an undisturbed, vegetated buffer zone 25 feet wide where activities on agricultural land, exempt from the Article's requirements under subdivision (a)(1), are prohibited. Authorizes the Sedimentation Control Commission to approve plans that include land-disturbing activity within that buffer when the duration of the disturbance would be temporary and the extent minimal, at the Commission's discretion. Authorizes the Sedimentation Control Commission to take any action reasonably necessary to enforce the requirement.

Section 14

Changes the definition of "farm digester system" in GS 143-213, applicable to Article 21, Water and Air Resources, to specifically include all manure management equipment and lagoon covers of described systems (was, all associated equipment and lagoon covers). Specifies that the term includes systems by which gases are collected and processed from an animal waste management system for the digestion of animal biomass that may be used (was, for use) as a renewable energy resource.

Section 15

Requires the Environmental Management Commission to implement 15A NCAC 02B .0202, the Wetlands Definition Rule, by restricting wetlands classified as waters of the State to waters of the United States as defined by specified federal law. Directs the Environmental Management Commission to adopt a rule amending the Wetlands Definition Rule that is consistent with the described directive.

Section 16

Requires the Commission for Public Health to implement 15A NCAC 18E .0905, the Prefabricated Permeable Block Panel Systems Rule, by requiring prefabricated permeable block panel system trenches to be located a minimum of 8 feet on center or three times the trench width. For sand-lined trench systems, bed, or fill systems, prefabricated permeable block panel systems requires using the equivalent trench width of 6 feet to calculate the minimum trench length unless otherwise instructed by the manufacturer on a case-by-case basis. Caps the long term acceptance rate for prefabricated permeable block panel systems at 0.8 gallons per day per square foot. Authorizes using prefabricated permeable block panel systems in high strength wastewater systems or other system designs, but prohibits using prefabricated permeable block panel systems where effluent contains high amounts of grease and oil, such as restaurant. Directs the Public Health Commission to adopt a rule amending the Prefabricated Permeable Block Panel Systems Rule consistent with the described directive.

Section 17

Amends GS 130A-343(h), regarding designation of an Innovative wastewater dispersal system or other approved trench dispersal system as an Accepted wastewater system, to prohibit the Commission for Public Health from including more restrictive conditions and limitations established in the approval of a wastewater system as Accepted that are not included in the approval of the wastewater system as an Innovative wastewater dispersal system. Establishes the following limitations that apply when the Department of Health and Human Services (DHHS) designates a wastewater dispersal system as an Accepted wastewater system: (1) limits the approval to the manufacturer who submitted the petition and received the Accepted status

from the Commission for Public Health; and (2) prohibits the Commission, DHHS, or any local health department from conditioning, delaying, or denying the substitution of any Accepted wastewater dispersal system based on location of nitrification lines when all parts of the dispersal field can be installed within the approved initial dispersal field area while complying with all Commission rules. Eliminates authority for DHHS to recommend that the Commission for Public Health designate a nonproprietary wastewater system as an accepted wastewater system without having received a petition from the manufacturer. Enacts a new subsection, prohibiting DHHS or the Commission for Public Health from conditioning, delaying, or denying approval of the use of backfill material in subsurface trench dispersal products based on a non-native backfill requirement without prior approval of the manufacturer. Regarding approvals already issued by DHHS or the Commission for Public Health, requires DHHS or the Commission to reissue the approvals at the request of the manufacturer, without conditions or requirements relating to the use of non-native backfill material. Applies retroactively to any wastewater system approvals issued by the Commission for Public Health or DHHS.

Section 18

Includes a severability clause.

Intro. by Jackson, Sanderson, B. Newton.

[Chatham, Cumberland, Harnett, Hoke, Lee, Montgomery, Moore, Richmond, GS 15A, GS 20, GS 90, GS 105, GS 113A, GS 115C, GS 115D, GS 116, GS 130A, GS 136, GS 145](#)

[View summary](#)

[Agriculture, Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Environment, Environment/Natural Resources, Government, Cultural Resources and Museums, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Natural and Cultural Resources \(formerly Dept. of Cultural Resources\), Department of Health and Human Services, State Government, State Property, Tax, Health and Human Services, Health, Public Health, Transportation](#)

S 616 (2023-2024) [ENVIRONMENTAL HEALTH ASSOCIATES](#). Filed Apr 5 2023, *AN ACT TO ESTABLISH A REGISTERED ENVIRONMENTAL HEALTH ASSOCIATE CERTIFICATION UNDER THE STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS*.

Replaces the education and practice qualifications required for registration as an environmental health specialist under GS 90A-53 to now require satisfying any of the following: (1) graduation with a bachelor's degree or a postgraduate degree from a program accredited by the National Health Science and Protection Accreditation Council (EHAC); (2) graduation with a bachelor's degree or a postgraduate degree in public health and has at least one year of experience in the field of environmental health practice; or (3) graduation with a bachelor's degree or postgraduate degree, has earned a minimum of 30 semester hours or 45 quarter hours in physical, biological, natural, life, or health sciences and has at least one year of experiences in the field of environmental health practice; or (4) worked at least five years as a registered environmental health associate. Makes technical changes.

Enacts GS 90A-53.1, establishing requirements for registration as an environmental health associate, with certification issuable by the Board of Environmental Health Specialist Examiners. Registration requirements include application and payment of \$100 fee, meeting and complying with applicable ethics standards, and meeting at least one of the education qualifications described: either (1) graduating with an associate, bachelor's, or postgraduate degree from a program accredited by EHAC and completed general and specialized instruction and training in environmental health approved by the Department of Health and

Human Services (DHHS); or (2) graduating with an associate, bachelor's, or postgraduate degree and earned a minimum of 15 semester hours in physical, biological, natural, life, or health sciences and satisfactorily completed general and specialized instruction and training in environmental health approved by DHHS. Adds *environmental health associate* and *registered environmental health associate* to the defined terms in GS 90A-51 and makes technical changes.

Amends GS 90A-52, authorizing a registered environmental health associate, working under the responsible charge of a registered environmental health specialist, to perform any of seven specified duties relating to permitting and inspections, pursuant to rules adopted by the Commission for Public Health, including permitting and inspections for private wells, inspections of Category I and II food establishments, and inspections of local confinement facilities.

Makes the above provisions effective May 1, 2024.

Directs the Board of Environmental Health Specialist Examiners to amend its rules consistent with the act's provisions.

Intro. by Jarvis.

[GS 90A](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Environment, Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Health and Human Services, Health, Public Health](#)

S 618 (2023-2024) [TAS TO TEACHERS](#). Filed Apr 5 2023, *AN ACT TO CREATE A TEACHER ASSISTANT TUITION REIMBURSEMENT PROGRAM TO ASSIST TEACHER ASSISTANTS IN COMPLETING AN EDUCATOR PREPARATION PROGRAM*.

Creates new GS 115C-345 (Teacher Assistant Tuition Reimbursement Program) providing tuition assistance to teacher assistants working in local schools who are pursuing a college degree that will result in teacher licensure. Permits a school board to grant academic leave to a teacher assistant who is pursuing coursework related to such a degree. Teacher assistants receiving awards under the program must fulfill student teacher requirements in the local school administrative unit employing them.

Provides guidance for selection criteria and directs local boards of education to develop an application and selection process for up to five teacher assistants per year to receive an award of up to \$4,500 per year for up to four years. Requires local boards of education to enter into memorandums of understanding with the institutions of higher education where a recipient is enrolled. Also requires local boards of education to report to the Department of Public Instruction on the number of awards and other information related to award recipients. Requires the Department of Public Instruction to report on the results of the program by September 1 of each year to the Joint Legislative Education Oversight Committee.

Appropriates \$1.5 million in recurring funds from the General Fund to the Department of Public Instruction for awards through the program.

Effective July 1, 2023.

Intro. by McInnis.

[APPROP, GS 115C](#)

[View summary](#)

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

S 620 (2023-2024) [SOCIAL MEDIA ACCOUNTABILITY ACT](#). Filed Apr 5 2023, *AN ACT TO ENACT THE SOCIAL MEDIA ACCOUNTABILITY ACT TO PROHIBIT CERTAIN SOCIAL MEDIA WEBSITES FROM CENSORING CERTAIN POLITICAL OR*

RELIGIOUS SPEECH.

Enacts new Article 9 (Social Medial Accountability Act) in GS Chapter 75. Establishes a private right of action for a user (a State resident who is a natural person, age 18 or older) against the owner of a social media website who contracts with the user if the website (1) deletes or censors the user's religious speech or political speech, or (2) uses an algorithm to disfavor or censor the user's religious speech or political speech. Makes this conduct an unfair and deceptive trade practice and a violation of GS 75-1.1. Provides for remedies including actual damages, statutory damages of up to \$75,000, punitive damages, and injunctive or other equitable relief. Outlines exceptions to the section, including calls for immediate violence or encouraging criminal conduct, but specifies that a user's alleged hate speech, as defined, cannot be used as a basis for justification or as a defense to an action under the section.

Provides relevant legislative findings and definitions for the section, including a definition of "social media website," which is a website open to the public that allows users to communicate with each other, with more than 75 million users with user profiles provided by the website, that from its inception had no specific affiliation with any one religion or political party.

Amends GS 114-2 to add new subsection (11), making it the duty of the Attorney General to enforce Article 9 of GS Chapter 75.

Intro. by Alexander, Johnson, Corbin.

GS 75, GS 114

[View summary](#)

Business and Commerce, Consumer Protection, Government, State Agencies, Department of Justice

S 621 (2023-2024) **MODIFY PUBLIC-INITIATED CRIMINAL PROCESSES**. Filed Apr 5 2023, *AN ACT TO DISALLOW THE ISSUANCE OF A WARRANT FOR ARREST WHEN A CRIMINAL CHARGE IS TAKEN OUT BY A NON-LAW ENFORCEMENT OFFICER, EXCEPT IN CASES OF DOMESTIC VIOLENCE*.

Amends GS 15A-304(b) to only allow issuance of an arrest warrant for probable cause based solely a sworn affidavit or oral testimony of a person (who is not a sworn law enforcement officer) to allegations of domestic violence. Eliminates citizen-initiated warrants where there is corroborating testimony of the facts establishing probable cause from a sworn law enforcement officer or at least one disinterested witness; the issuing official finds that obtaining investigation of the alleged offenses by a law enforcement agency would constitute a substantial burden for the complainant; or the official finds substantial evidence of at least one of the circumstances listed in subdivision (b)(1) where it appears to the official that the person named should be taken into custody, such as failure to appear when previously summoned, danger that the person accused will escape, danger that there may be injury to person or property, or the seriousness of the offense. Effective October 1, 2023, and applies to processes issued on or after that date.

Intro. by Smith, Mohammed.

GS 15A

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure

S 622 (2023-2024) **CONSUMER PROTECTIONS AGAINST STORM CHASERS**. Filed Apr 5 2023, *AN ACT TO PROVIDE CONSUMER PROTECTIONS AGAINST ROOFING REPAIR CONTRACTORS*.

Enacts new Article 9 to GS Chapter 75, pertaining to Roofing Repair Contractors. Defines *consumer*, *emergency services*, *roofing repair*, and *roofing repair contractor*. Excludes licensed general contractors, a person engaged in in the demolition of a structure or the cleanup of construction waste and debris that contains roofing material, and a person working under the direct supervision of a roofing repair contractor who is hired either as an employee, day laborer, or contract laborer from Article 9. Enacts GS 75-152 barring roofing repair contractors from engaging in the following and specifies that violations are Class 1 misdemeanors:

- Advertise or otherwise promise or offer to pay, or pay, all or any portion of any insurance deductible as an inducement to the sale of goods or services or in exchange for permitting the roofing contractor to display a sign or any other type of advertisement at the consumer's premises.
- In circumstances in which payment may be made from the proceeds of a property and casualty insurance policy, a roofing repair contractor cannot require any payments from an insured until the five-day cancellation period has expired. If, however, the residential roofing contractor has performed emergency services, acknowledged by the insured in writing to be necessary to prevent further damage to the premises, the residential roofing contractor will be entitled to collect the amount due for the emergency services at the time they are rendered.
- A residential roofing contractor cannot represent or negotiate, or offer or advertise to represent or negotiate, on behalf of an owner or possessor of residential real estate on any insurance claim in connection with the repair or replacement of roof systems. Specifies that this provision does not apply to a public adjuster licensed under GS Chapter 58.

Requires written contracts for roofing repairs to contain the following statement in 10-point, bold font type: "You may cancel this contract at any time before midnight on the fifth business day after you have received written notification from your insurer that all or any part of the claim or contract is not a covered loss under the insurance policy. This right to cancel is in addition to any other rights of cancellation which may be found in state or federal law or regulation."

Specifies that a violation of Article 9 is an unfair and deceptive trade practice.

Effective 90 days after the act becomes law and applies to contracts for roofing repair entered into on or after that date.

Intro. by Sawyer, Lee, Lazzara.

GS 75

[View summary](#)

Business and Commerce, Consumer Protection, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing

S 624 (2023-2024) **HEALTH CARE PRACTITIONER TRANSPARENCY ACT**. Filed Apr 5 2023, *AN ACT TO REQUIRE HEALTH CARE PRACTITIONERS TO WEAR IDENTIFICATION NOTIFYING PATIENTS OF THE HEALTH CARE PRACTITIONER'S APPROPRIATE LICENSURE.*

Retitles Article 37 of GS Chapter 90 as the Health Care Practitioner Transparency Act (was, the Health Care Practitioner Identification). Enacts a short title and four defined terms for the Article.

Replaces the provisions of GS 90-642 with the following. Require *advertisements*, as defined, for health care services that name a health care practitioner to identify the type of license held by the health care practitioner. Broadly defines *health care practitioner* as an individual licensed, certified, or registered to engage in the practice of medicine, nursing, dentistry, pharmacy, or any related occupation involving the direct provision of health care to patients. Bars advertisements from containing any *deceptive or misleading* information, as defined. Requires health care practitioners, when providing health care to a patient, to wear a badge or other form of ID displaying (1) a recent photo; (2) the practitioner's name; (3) the license, certification, or registration held by the practitioner; and (4) the expiration date of such license. Adds form and size requirements for the badges. Requires health care practitioners to display a written document in the practitioner's office that clearly identifies the type of license, certification, or registration held by the practitioner, readily determined by a patient from the posting. Bars health care practitioners from making a representation about the practitioner's license, certification, or registration that is deceptive or misleading. Requires compliance in each practice setting. Prohibits individuals licensed under Article 1, Practice of Medicine, from holding oneself out to the public by calling oneself a physician or any of the listed titles, or similar, with the intent to represent that the individual practices medicine. Requires medical doctors or doctors of osteopathic medicine who supervise or participate in collaborative practice agreements with other health care practitioners or professional who provide any type of health care services who are not medical doctors or doctors of osteopathic medicine to post a schedule of regular hours when the medical doctor or doctor of osteopathic medicine will be present in the office, as specified. Excludes health care practitioners who work in non-patient settings who do not have direct patient health care interactions.

Enacts GS 90-643, establishing the following as violations of Article 37: (1) knowingly aiding, assisting, procuring, employing, or advising an unlicensed individual or entity practicing or engaging in act outside the scope of the health care practitioner's degree of licensure; (2) knowingly delegating or contracting the performance of health care services to an unqualified health care practitioner; or (3) noncompliance with the Article's provisions. Deems violation unprofessional conduct and subjects violators to disciplinary action by the appropriate licensing board or other appropriate governing provisions. Allows for persons who suffer injuries or damages as a result of a violation of the Article to seek injunctive relief in Wake County Superior Court. Deems each day of noncompliance a separate violation.

Directs fifteen named licensing boards to adopt temporary and permanent implementing rules.

Effective October 1, 2023.

Intro. by Perry, Lazzara.

[GS 90](#)

[View summary](#)

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

S 626 (2023-2024) [MODIFY LAWS RELATING TO HUMAN TRAFFICKING](#). Filed Apr 5 2023, *AN ACT TO MODIFY LAWS RELATING TO HUMAN TRAFFICKING, AS RECOMMENDED BY THE NORTH CAROLINA HUMAN TRAFFICKING COMMISSION.*

Makes changes to GS Chapter 50D to create a permanent domestic violence prevention order that prohibits any contact by a person guilty of a human trafficking or sex offense with the victim of that offense if the two have a personal relationship under GS 50B-1(b). Makes permanent civil no-contact orders also applicable to victims of a human trafficking offense. Amends the definitions in GS 50D-1 to provide relevant definitions for human trafficking offense and update definitions to reflect human trafficking offenses as a basis for orders under the chapter. Makes changes to the text of GS 50D-2, -3, -5, -6, -7, -9, and -10, to make those statutes applicable to permanent domestic violence protective orders along with the existing permanent civil no-contact orders, and to add references to human trafficking offenses where appropriate. The changes to GS Chapter 50D are effective and applicable to actions filed on or after August 1, 2023.

Amends GS 15B-11(b) to update the section regarding denial or reduction of awards from the crime victims' compensation fund to exclude victims who were coerced into participating in misdemeanors or misconduct if they are victims as defined under GS 14-43.10(a) of human trafficking, involuntary servitude, or sexual servitude.

Amends GS 14-43.11(a), regarding the offense of human trafficking, to include a person who knowingly patronizes or solicits another person with the intent that the other person be held in involuntary servitude or sexual servitude. Makes a similar amendment to GS 14-43.13(a), adding patronizes or solicits to the list of behaviors representing the offense of sexual servitude. These changes to GS Chapter 14 are effective and applicable to offenses committed on or after December 1, 2023.

Intro. by Alexander, Hanig, Barnes.

[GS 14, GS 15B, GS 50D](#)

[View summary](#)

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

S 627 (2023-2024) [CATTLEMEN'S ASSOCIATIONS TAX EXCLUSION](#). Filed Apr 5 2023, *AN ACT TO EXCLUDE PROPERTY OWNED BY CATTLEMEN'S ASSOCIATIONS FROM THE PROPERTY TAX.*

Amends GS 105-275 to establish as a special class of property excluded from tax any real or personal property belonging to the NC Cattlemen's Association and any local cattlemen's association, regardless of affiliation, when used for purposes consistent with the Association's mission, including the provision of facilities by the Association for use of buying or selling cattle. Limits the exclusion only to the extent monies received by the Association do not exceed the reasonable expenses incurred in providing the facility. Includes in the class additional adjacent real property necessary for the convenient normal

use of the buildings on the described property. Includes in the class a part of a property that meets the exclusive use requirements for this class. Applies to taxable years beginning on or after July 1, 2023.

Intro. by Gale.

[GS 105](#)

[View summary](#)

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

S 628 (2023-2024) [ARTICLE V CONVENTION OF THE STATES](#). Filed Apr 5 2023, *A JOINT RESOLUTION APPLYING TO CONGRESS FOR AN ARTICLE V CONVENTION OF THE STATES WITH THE PURPOSE OF PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION*.

Initiates a state legislative continuing application to the US Congress for a convention of the states to amend the US Constitution for the limited purposes of imposing fiscal restraints on the federal government, limiting the federal government's power and jurisdiction, and limiting terms of office for members of US Congress and federal officials. Includes whereas clauses.

Intro. by Moffitt.

[JOINT RES](#)

[View summary](#)

[Constitution](#)

S 629 (2023-2024) [DRIVER IMPROVEMENT CLINICS/MOTORCYCLES](#). Filed Apr 5 2023, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO CONTRACT WITH THIRD-PARTY VENDORS TO ESTABLISH AND CONDUCT DRIVER IMPROVEMENT CLINICS, TO MAKE OTHER TECHNICAL CHANGES, AND TO MAKE VARIOUS CHANGES TO THE LAWS RELATING TO MOTORCYCLES*.

Amends GS 20-16, allowing the Division of Motor Vehicles (DMV) to use a third-party vendor to establish and conduct any driver improvement clinic authorized under the state for licensees who have met a threshold of accumulated points. Makes conforming changes to subsection (c). Limits the \$70 fee for such clinics to only DMV-conducted clinics. Requires all driver improvement clinics to include training on the dangers of a lack of motorcycle safety awareness. No longer requires notice of license suspensions under the statute to be in writing. Makes language gender neutral and makes technical changes. Effective October 1, 2023, and applies to driver improvement clinics conducted on or after that date.

Enacts subsection (c) to GS 20-146.1, authorizing a motorcycle to overtake and pass another vehicle that is stopped in the same direction of travel in the same lane if five conditions are met, including that the road or highway is divided into two or more adjacent traffic lanes in the same direction of travel with a speed limit of 55 mph or less, and the motorcycle is traveling at a speed of 15 mph or less. Effective December 1, 2023.

Amends GS 90-157.1, governing funeral processions, to include motorcycles in the defined term "funeral procession."

Enacts GS 136-18.08, barring the Department of Transportation (DOT) from taking any "action," defined to include formulating policy, adopting rules, allocating funds, and designing, constructing, planning, operating, and maintaining transportation facilities, that prohibits or imposes a requirements that apply only to a motorcyclist with the principal purpose is to restrict or inhibit the access of a motorcyclist to any highway, bridge, tunnel, or other transportation facility. Requires DOT, and owners and operators of transportation facilities funded at least in part by State or local funds, to make reasonable accommodations for motorcycle parking at transportation facilities; though not requiring the structural or technological modification of parking structures constructed or substantially completed on or after July 1, 2023. Defines "reasonable accommodation" to include sectioning portions of an existing parking space where the size does not meet building code requirements for full-size motor vehicles. Specifies that the requirements do not alter or supersede any State or federal law that prohibits or imposes a requirement that applies only to a motorcyclist. Effective July 1, 2023.

Intro. by Alexander, Galey, Jarvis.

GS 20, GS 136

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

S 630 (2023-2024) **CONSTITUTIONAL AMENDMENT/CITIZENS-ONLY VOTING**. Filed Apr 5 2023, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR CITIZENS-ONLY VOTING*.

Subject to approval by voters at the statewide election on November 5, 2024, amends Section 1 of Article VI of the North Carolina Constitution to allow only a citizen of the United States who is 18 years of age to vote at any election in the State. If approved, effective upon certification by the State Board of Elections.

Intro. by B. Newton, Overcash, Daniel.

CONST

[View summary](#)

Constitution, Government, Elections

S 631 (2023-2024) **FAIRNESS IN WOMEN'S SPORTS ACT**. Filed Apr 5 2023, *AN ACT TO PROTECT OPPORTUNITIES FOR WOMEN AND GIRLS IN ATHLETICS*.

Amends GS 115C-12(23), regarding the State Board of Education's (State Board) duty to adopt rules governing interscholastic athletic activities conducted by local boards of education, to add the following requirements to the mandated content of rules applicable to middle schools and high schools. Requires all teams participating in interscholastic or intramural athletic activities to: (1) have each team expressly designated by the biological sex of the team participants as either males/men/boys, females/women/girls, or coed/mixed and (2) require teams or sports designated for females/women/girls not be open to students of the male sex and teams or sports designated for males/men/boys not be open to students of the female sex (unless there is no comparable female team for the particular sport and the sport is not a contact sport), where a student's sex is recognized solely based on the student's reproductive biology and genetics at birth. Establishes a private cause of action for the following, subject to a two-year statute of limitations: (1) a student who is deprived of an athletic opportunity or suffers or is likely to suffer from any direct or indirect harm as a result of a violation of the above requirements; (2) a student who is subjected to retaliation or other adverse action by a public school unit, athletic association, or other organization as a result of reporting a violation of the above requirements to an employee or representative at the public school unit; athletic association; or any local, State, or federal agency with oversight of the public school unit; and (3) any public school unit or its representatives or employees who suffer any direct or indirect harm for complying with the above requirements. Provides for remedies including injunctive relief, protective order, writ of mandamus or prohibition, or declaratory relief, as well as actual damages, including for psychological, emotional, or physical harm; reasonable attorneys' fees; and costs. Requires the State Board to monitor middle and high schools for compliance, and requires reporting schools in violation to the Joint Legislative Oversight Committee.

Amends the following statutes to require middle and high school athletic teams at charter schools, regional schools, and lab schools to comply with GS 115C-12(23), as amended: GS 115C-218.75, GS 115C-238.66, and GS 116-239.8.

Enacts GS 115C-567 to require nonpublic schools that are members of an organization that administers interscholastic athletic activities pursuant to Article 29E, and any other nonpublic schools that organize athletic teams at the middle and high school level that plays a team from any school required to comply with GS 115C-12(23), to comply with GS 115C-12(23), as amended.

Applies beginning with the 2023-24 school year.

Intro. by Corbin, Krawiec, Sawyer.

GS 115C, GS 116

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**Education, Elementary and Secondary Education,
Government, State Agencies, UNC System, Health and Human**

S 632 (2023-2024) [I-95 TOLL PROHIBITION](#). Filed Apr 5 2023, *AN ACT TO PROHIBIT THE IMPOSITION OF TOLLS ON INTERSTATE 95 FOR TEN YEARS AND TO REQUIRE THE PRIOR APPROVAL OF THE GENERAL ASSEMBLY FOR TOLLING INTERSTATE 95 THEREAFTER*.

Prohibits imposing tolls on Interstate 95 for ten years by creating new subsection (d) of GS 136-89.198 prohibiting tolls on Interstate 95, and making clarifying changes to the section effective when the act becomes law. On July 1, 2033, amends the new subsection (d) to remove the prohibition on tolls, but requires prior approval of the General Assembly before imposing tolls on Interstate 95 thereafter.

Intro. by B. Newton, Sawrey, Britt.

[GS 136](#)

[View summary](#)

[Transportation](#)

S 634 (2023-2024) [CAP CHARTER SCHOOLS](#). Filed Apr 5 2023, *AN ACT TO CAP THE TOTAL NUMBER OF CHARTER SCHOOLS OPERATING IN THE STATE*.

Amends GS 115C-218.5, adding that no more than 225 charter schools can operate in the State at a time. Applies to charter school applications submitted on or after the date the bill becomes law.

Intro. by Waddell.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 635 (2023-2024) [ORPHAN ROADS](#). Filed Apr 5 2023, *AN ACT TO IMPLEMENT TEMPORARY MAINTENANCE AND ACCEPTANCE GUARANTEES FOR SUBDIVISION DEVELOPMENTS TO PREVENT THE CREATION OF UNMAINTAINED PUBLICLY DEDICATED ROADS AND TO INCREASE TRANSPARENCY IN ROAD CLASSIFICATIONS*.

Creates new GS 160D-804.2 (Temporary maintenance and acceptance guarantees), requiring developers to post a temporary maintenance guarantee for any publicly dedicated roadway to be transferred for public maintenance under GS 136-102.6 or any municipal ordinance. Provides for the acceptable forms of guarantee including surety bonds and letters of credit, and establishes a maximum of 20% of the reasonably estimated cost of construction for the road or street secured by the guarantee. Specifies that the appropriate use of the guarantee is to ensure the road or street meets the minimum standards of the roadway's administering entity prior to acceptance into the roadway system. Requires a county to petition the administering entity for road addition to its roadway system within 5 days of completed construction once the guarantee has been used. Outlines procedures for acceptance of the road or street and release of a guarantee, and legal responsibilities. Makes a clarifying change to GS 160D-804.1(1)c.

Creates new GS 160D-809 (Subdivision roadway minimum standards), establishing that a subdivision roadway that is publicly dedicated on a final plat is regulated by the standards or regulations in effect at the time the final plat was recorded.

Amends GS 160D-202 to add new subsection (l) (Roadway Development Standards), requiring the design of streets and rights-of-way designated as public to meet the minimum requirements established by the Department of Transportation for acceptance into the State highway system.

Amends GS 136-18.06 to include new requirements for data in the public street information database, to include municipality-owned roads, municipality-maintained roads, and roads pending public acceptance. Requires the data to be included in the database no later than January 1, 2024.

Repeals subsection (b) of GS 136-55.1, which allows a municipality to keep open and assume responsibility for the maintenance of a road within one mile of its corporate limits if it is abandoned from the State highway system.

Amends GS 136-102.6(f) to include references to the municipality approving the right-of-way and design of a street designated as public, to reference acceptance into the municipal highway system as well as the State highway system, and to require certification of whether any party is maintaining the public street.

Intro. by Sawyer, McInnis, Lazzara.

[GS 136, GS 160D](#)

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[Government, Local Government, Transportation](#)

S 636 (2023-2024) [SCHOOL ATHLETIC TRANSPARENCY](#). Filed Apr 5 2023, *AN ACT TO REVISE OVERSIGHT OF HIGH SCHOOL INTERSCHOLASTIC ATHLETICS*.

Part I

Makes organizational changes to Article 29E of GS Chapter 115C by dividing it into multiple parts: definitions (Part 1), Oversight of Interscholastic Athletic Activities (Part 2), Memorandum of Understanding (Part 3).

Amends GS 115C-407.55 (pertaining to the rules for High School Interscholastic Athletic Activities) as follows. Prevents the State Board of Education (Board) from delegating the adoption of the student participation rules (Rules), health and safety rules, appeals rules, fees rules, reporting rules, and administering organization rules to an administering organization. Adds the following required provisions to the Rules.

Rules governing student participation must include enrollment and transfer requirements that include the following. (1) A student who is not domiciled in a local school administrative unit but enrolls in that unit cannot be eligible to participate in interscholastic athletic activities in that unit if the student's enrollment in that unit is solely for athletic participation purposes. A student determined to be ineligible under this provision will be ineligible to participate in postseason play for one year following discovery of the violation. (2) A student who receives priority enrollment as the child of a full-time employee of a charter school cannot be eligible to participate in interscholastic athletics for that charter school if the Office of Charter Schools determines that the parent's enrollment was a fraudulent basis for the student's priority enrollment. A student determined to be ineligible under this provision will be ineligible to participate in postseason play for one year following discovery of the violation.

Adds the following biological participation requirements to the rules governing student participation. The rule shall require at least the following. (1) Interscholastic teams or sports must be designated as one of the following based on biological sex: (i) males, men, or boys, (ii) females, women, or girls or (iii) coed or mixed. (2) Interscholastic athletic activities designated for females, women, or girls are not open to students of the male sex. (3) Sex is recognized based solely on a person's reproductive biology and genetics at birth.

Specifies that the penalty rules only apply to infractions for violation of student participation and gameplay rules. Specifies that violations cannot result in monetary penalties of any kind.

Specifies that the appeals rules have to provide due process to parents, students and participating schools for enforcement of the rule at issue. Specifies that the entity receiving the penalty must be given an opportunity to be heard before the appeals' board. Provides that a student and that student's parent must be allowed to appeal a penalty resulting from the application of any rule that restricts an individual student from participating in a season, game, or series of games, and must be provided a written copy of the rule that is the basis for the penalty.

Requires administrative rules to require the following. (1) Classification of all participating schools in the State into one of four athletic divisions based solely on average daily membership. For charter or nonpublic schools, the rules must classify those schools into the next largest conference than the school would be assigned to based solely on average daily membership. (2) Classification of all participating schools in the State into conferences based solely on geography, division classification, and average daily membership.

Amends the reporting rules to require a process for reporting intimidation or harassment of the participating school or its employees or students by an administering organization, in addition to other matters provided in the section.

Amends GS 115C-407.60 (administration and enforcement of high school interscholastic athletic activity rules), as follows. Substitutes the Superintendent of the Public Instruction (Superintendent) as the entity authorized to enter into MOU's with nonprofits to enforce Article 29E. Specifies that all MOU's have to include the requirements set forth in new GS 115C-407.61. Specifies that an administering organization is a public body for purposes of State public meetings law.

Enacts GS 115C-407.61 which specifies the required contents of the MOU's discussed above. Requires contracting nonprofit administrator to publish and provide for notice and comment for any rules it drafts pursuant to any rulemaking authority delegated to it by the Board and sets forth a process for rule adoption. Requires the nonprofit to make certain materials available on its website at no cost. Sets forth requirements pertaining to board membership, adoption of an ethics policy, procedures relating to public records and student records, entering into certain contracts with participating schools, reduction of annual fees by certain amounts, retention of a certain amount of net tournament proceeds, annual audits, refrain from certain listed activities, and annual reports on specified matters. Authorizes the Superintendent to terminate any MOU for noncompliance with Article 29E or the terms of the MOU. In the event of termination, the nonprofit organization must return to each participating school a pro rata share of the funds paid by that school for the year as provided in the participating school's contract with the organization.

Makes conforming changes to GS 115C-407.65 (pertaining to the conduct of high school interscholastic athletic activities by public school units). Enacts GS 115C-407.70 (pertaining to middle school interscholastic athletic activities) requiring the Board to adopt the same student participation, student health and safety rules, penalty rules, appeals rules, administrative rules, gameplay rules, fee rules, and reporting rules that apply to high school interscholastic activities. Requires administration of those rules by the superintendent. Requires public school units that participate in middle school interscholastic athletics to abide by those rules. Organizes these two statutory provisions into Part 4 of the Article.

Enacts new Part 5, pertaining to public school unit reports. Sets forth annual reporting requirements to the Superintendent and Board by public school units with one or more participating schools in interscholastic activities. Requires the Superintendent to provide a summary of the reports and each individual school unit report to the specified NCGA committee by no later than October 15 annually. Amends GS 143-318.10 to include the nonprofit administering entities as entities whose meetings must be open to the public under the open meetings act, makes organizational changes.

Applies beginning with the 2023-2024 school year and thereafter.

Part II

Amends GS 115C-12(23) (pertaining to the power of the Board to adopt rules pertaining to interscholastic activities) to delete requirements relating to concussions and emergency action plans. Recodifies those provisions into new GS 115C-407.57 (rules on concussions and head injuries) and new GS 115C-407.58 (emergency action plans).

Applies beginning with the 2023-2024 school year and thereafter.

Part III

Requires the Board to review and adopt new or revised emergency rules on interscholastic athletics for use in the 2023-2024 school year in accordance with the requirements of the act, by no later than August 1, 2023. Specifies that findings of need are not required for an emergency rule adopted for the 2023-2024 school year. Specifies that an emergency rule will be effective until June 30, 2024. Specifies that the Board will not be required to adopt temporary rules to replace an emergency rule for use in the 2023-2024 school year. Specifies submission requirements of emergency rules

Requires the Board to adopt new or revised permanent rules for use beginning with the 2024-2025 school year and thereafter.

Requires the Superintendent, in consultation with any administering organization, to study and make findings to the specified NCGA committee by April 1, 2024 on (1) whether an administering organization should be responsible for overseeing the conduct of middle school interscholastic athletics for public school units and (2) factors that should be considered in (i) home school students' participation in interscholastic athletics, including how to address insurance and liability issues for those students while participating in interscholastic athletics, cooperative innovative high school students' participation in interscholastic athletics, and (ii) nonpublic schools. Requires the Superintendent to set up workgroups.

Requires all public school units to submit the first annual interscholastic athletic report to the Superintendent and the Board by no later than July 15, 2024, and must include data from the 2019-2020, 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years.

Intro. by Sawyer, Johnson, McInnis.

STUDY, GS 115C

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**Education, Elementary and Secondary Education,
Government, Public Records and Open Meetings, State
Agencies, Department of Public Instruction**

S 637 (2023-2024) **STIP GRANT ANTICIPATION NOTES**. Filed Apr 5 2023, *AN ACT TO AUTHORIZE A LOCAL GOVERNMENT TO BORROW MONEY FOR THE PURPOSE OF ACCELERATING A LOCAL TRANSPORTATION PROJECT THAT IS IDENTIFIED FOR FUNDING UNDER THE STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)*.

Amends GS 159-171 (Grant anticipation notes) to create new subsection (a1), permitting a unit of local government to borrow money for paying appropriations made for a State Transportation Improvement regional impact or division need project in anticipation of receiving the funds from the State or the federal government or their agencies, and to issue negotiable notes in evidence thereof. Provides that notes issued under the subsection cannot be renewed, and must mature no later than 12 months after the first day of the calendar year following the year the project is scheduled to be completed. Requires a local government that plans to borrow money under the subsection to enter into an expedited project agreement with the Department of Transportation and outlines the requirements of that agreement. Creates new subsection (b2) that prohibits borrowing under subsection (a1) if the total amount of notes issued in anticipation of the project exceeds the amount of funding identified for the project, and specifies a mandatory certificate to be included on the note, signed by the finance officer. Makes clarifying changes to the statute to reflect the new subsections.

Amends GS 136-189.11 to create new subsection (f1), requiring the Department of Transportation to ensure that any amendment or modification of the State Transportation Improvement Program will not delay the repayment of grant anticipation notes issued under GS 159-171(a1).

Requires the Department of Transportation to develop procedures and rules as necessary for expedited project agreements to incorporate the terms and use of grant anticipation notes as added by this bill. Directs the Department of the State Treasurer, in consultation with the Department of Transportation, to adopt rules that are consistent with the purposes of this bill.

Intro. by Sawyer, P. Newton, Lazzara.

GS 136, GS 159

[View summary](#)

**Government, State Agencies, Department of State Treasurer,
Department of Transportation, Transportation**

S 638 (2023-2024) **MOVE OVER FOR DISABLED VEHICLES**. Filed Apr 5 2023, *AN ACT TO REQUIRE DRIVERS TO MOVE OVER LANES UPON APPROACHING A DISABLED VEHICLE DISPLAYING WARNING LIGHTS OR SIMILAR*.

Amends GS 20-157 to add “disabled vehicles” to the statute's title and to add new subsection (f1), requiring drivers to move over or slow down when a vehicle is parked within 12 feet of a roadway and displaying hazard lights, road flares, or other signals that it is disabled. Effective and applies to offenses committed on or after December 1, 2023.

Intro. by Sawyer, McInnis, Lazzara.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle

S 639 (2023-2024) **YOUTH HEALTH PROTECTION ACT**. Filed Apr 5 2023, *AN ACT TO PROTECT MINORS FROM ADMINISTRATION OF PUBERTY BLOCKERS AND CROSS-SEX HORMONES AND OTHER RELATED ACTIONS, PROCEDURES, AND TREATMENTS*.

Includes whereas clauses. Enacts Article 1M, Youth Health Protection Act, of GS Chapter 90. Makes it unlawful for any individual to engage in any of the following practices upon a minor, or cause them to be performed for the purpose of attempting to alter the appearance of or affirm the minor's perception of his or her gender or sex, if that is inconsistent with the minor's sex: (1) performing surgeries that sterilize, including castration, vasectomy, hysterectomy, oophorectomy, orchiectomy, or penectomy; (2) performing surgeries that artificially construct tissue with the appearance of genitalia that differs from the individual's sex, including metoidioplasty, phalloplasty, and vaginoplasty; (3) performing a mastectomy; (4) prescribing, administering, or supplying gonadotropin releasing hormone analogues or other synthetic drugs used to stop luteinizing hormone and follicle stimulating hormone secretion, synthetic antiandrogen drugs used to block the androgen receptor, or any drug to suppress or delay normal puberty; (5) prescribing, administering, or supplying testosterone, estrogen, or progesterone to a minor in an amount greater than would normally be produced endogenously in a healthy individual of that individual's age and sex; (6) removing any otherwise healthy or nondiseased body part or tissue. Defines *sex* to mean the biological state of begin female or male, based on sex organs, chromosomes, and endogenous hormone profiles, without regard to an individual's psychological, chosen, or subjective experience of gender. Defines *minor* to mean individuals younger than 18 years of age.

Makes it unlawful for any medical professional or mental health care professional, or counselor to knowingly engage in conduct that aids or abets any of the above described medical treatments described above to a minor. Specifies that the act may not be construed to impose liability on any speech protected by federal or State law.

Deems medical professionals, mental health care professionals, or counselors who engage in any of the specified unlawful practices to have engaged in unprofessional conduct and subject to licensure revocation for at least one year, or other appropriate discipline by the respective licensing board. Establishes a \$1,000 civil penalty per occurrence, with remittance to the Civil and Penalty Forfeiture Fund. Excludes from the scope good-faith medical decisions of parents or guardians of a minor born with a medically verifiable genetic disorder of sexual development, and specifies such examples. Further excludes from the scope of the statute, the treatment of any infection, disease, or disorder that has been caused or exacerbated by the performance of one of the medical treatments described above, whether or not the procedures were performed in accordance with State or federal law. Also excludes any procedure undertaken because an individual suffers from a physical disorder, physical injury, or physical illness that is certified by a physician and that would place the individual in imminent danger of death or impairment of major bodily function unless surgery is performed.

Makes it unlawful for a health care provider that receives State funds to furnish, provide, or perform any health care service that constitutes the performance of or preparation for gender transition procedure to a minor.

Bars State entities, local governments, and any organization with authority to license or discipline members of a profession from prohibiting, imposing any penalty, or taking any adverse action against any individual who gives or receives counsel, advice, guidance, or any other speech or communication, whether described as therapy or provided for a fee, consistent with conscience or religious belief.

Explicitly allows parents, guardians, or custodians to withhold consent for any treatment, activity, or mental health care services that are designed and intended to form their child's conceptions of sex and gender or to treat gender dysphoria or gender nonconformity, without government infringement. Prohibits government agents, and State or local employees, or any other governmental entity, other than law enforcement, from encouraging or coercing a minor to withhold information from the minor's parent, or withholding from a minor's parent information relevant to the physical or mental health of their child as specified. Provides that such conduct is grounds for employee discipline in addition to other remedies under the Article. Establishes a duty for a government agent with knowledge that a minor under its care or supervision has exhibited symptoms of gender dysphoria, gender nonconformity, or otherwise demonstrates a desire to be treated in a manner incongruent with the minor's sex to immediately notify each of the minor's parents, guardians, or custodians in writing, with descriptions of relevant circumstances.

Prohibits discrimination against persons providing or causing to be provided information or an act or omission regarding Article violations to his or her employer or specified public entities, testified or prepared to testify in a proceeding under the Article, or assisted or participated in a proceeding under the Article. Prohibits discrimination against persons who make disclosures under the Article believed to be a violation of law, rule, or regulation; any violation of any standard of care or other ethical guidelines for the provision of health care service; or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

Establishes a civil action for compensatory or special damages, injunctive relief, or other legal remedies for any person for any violation of the Article against the clinic, health care system, medical professional, or other responsible person. Provides a two-year statute of limitations, except allows for minors injured by practices prohibited by the Article to bring an action during their minority through a parent, and bring an action in their own name upon reaching majority at any time from that date until 20 years from the date the minor attained the age of majority. Allows for the award of monetary damages, total costs of the action and reasonable attorneys' fees, and any other appropriate relief.

Preempts political subdivisions of the State from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or similar measure that prohibits, restricts, limits, controls, or directs, or otherwise interferes with the professional conduct and judgement of a mental health care professional or counselor undertaken within the course of treatment and communication with clients, patients, other persons, or the public. Provides for enforcement by the Attorney General or a mental health care professional or counselor through an action for injunctive relief. Allows a mental health care professional to recover reasonable attorneys' fees and reasonable costs incurred in obtaining an injunction. Waives sovereign immunity to suit and immunity from liability under this statute.

Enacts GS 143C-6-5.6 to prohibit the use of State Funds for the performance of or in furtherance of gender transition procedures or to support the administration of any governmental health plan or government-offered insurance policy offering gender transition procedures.

Amends GS 90-21.5 (pertaining to consent of a minor for certain medical health services) to delete all provisions of the article that allow minors to consent to certain medical services, including certain mental health services as well as the provision requiring a health care provider to obtain parental consent before administering a vaccine that has been granted emergency use authorization. Section would now only be limited to emancipated minors, who continue to be authorized to consent to any medical, dental, and health services treatment for themselves or their child.

Includes a severability clause.

Effective October 1, 2023.

Intro. by Hise, B. Newton, Sanderson.

[GS 90, GS 143C](#)

[View summary](#)

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

S 640 (2023-2024) [VARIOUS CRIMINAL PROCEDURE CHANGES](#). Filed Apr 5 2023, *AN ACT TO MODIFY VARIOUS LAWS RELATED TO CRIMINAL PROCEDURE*.

Amends GS 15A-211, making laws governing electronic recording of juvenile interrogations applicable to (1) all law enforcement interviews and custodial interrogations of juveniles in criminal investigations conducted at any place of detention (previously limited to custodial interrogations only), and (2) any law enforcement interview or custodial interrogation of any person in a felony criminal investigation conducted at any place of detention (previously, any custodial interrogation of any person in a criminal investigation conducted at any place of detention if the investigation is related to any Class A, B1, or B2 felony, and any Class C felony of rape, sex offense, or assault with a deadly weapon with intent to kill inflicting serious injury). Makes conforming changes to the Article's title, the statute's caption, and the statute's stated purpose.

Revises the definition of "in its entirety" as it applies to the Article to include an uninterrupted record that begins at the start of the interview of custodial interrogation and ends when the interview or custodial interrogation has completely finished.

Eliminates the requirement for the record to clearly show both the interrogator and the person in custody; instead requires any visual recording to show the interviewer and the suspect or the interrogator and the suspect. Adds that the record must reflect all starting and ending times and dates, as well as the starting time and date of the recess and resumption of the interview or interrogation.

Replaces the previous provisions regarding electronic recording requirements. Enacts a substantively similar requirement to require any law enforcement officer conducting an interview or custodial interrogation of a juvenile involved in a criminal

investigation or any person involved in a felony criminal investigation, at a place of detention, to make an electronic recording of the interview or custodial interrogation in its entirety.

Makes the provisions regarding the admissibility of electronic recordings applicable to recordings of interviews.

Enacts a new subsection to require recordings of non-defendant interviews or custodial interrogations to be provided to the juvenile or criminal defendant as part of discovery requirements under GS Chapters 7B and 15A.

Extends authority of the court in adjudicating motions to suppress a statement of the defendant made during a custodial interrogation which does not comply with the Article's requirements to also suppress statements made during an interview which does not comply with the Article's requirements.

Adds that the Article does not preclude admission of a statement made in an interview that is conducted in another state by law enforcement officers of that state. No longer explicitly provides that the Article does not preclude a statement given at a time when the interrogators are unaware that the person is suspected of an offense to which the Article applies.

Makes the prohibition against destroying or modifying electronic recordings for one year following the completion of all State and federal appeals of the related conviction apply to recordings of interviews. Adds that electronic recordings of non-defendant interviews or custodial interrogations can be destroyed at the conclusion of the State appeal process.

Effective October 1, 2023, and applies to interviews and custodial interrogations occurring on or after that date.

Effective October 1, 2023, amends GS 15A-266.7, requiring the State Crime Lab to adopt procedures for the notification of the Indigent Defense Services for postconviction CODIS hits that are exculpatory in nature.

Intro. by Britt, B. Newton, Daniel.

[GS 15A](#)

[View summary](#)

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

S 644 (2023-2024) [NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION](#). Filed Apr 5 2023, *AN ACT PROHIBITING NORTH CAROLINA TRANSPLANT CENTERS FROM DISCRIMINATING AGAINST INDIVIDUALS SEEKING TO DONATE OR RECEIVE AN ANATOMICAL GIFT OR ORGAN TRANSPLANT SOLELY ON THE BASIS OF THEIR COVID-19 VACCINATION STATUS*.

Amends GS 130A-414.1 to add subsections (3a), (3b), and (3c), regarding COVID-19 vaccination status and a patient's right to healthcare and transplant eligibility, to the list of legislative findings and declaration of policy regarding organ transplants for persons with mental or physical disabilities. Makes corresponding changes to the statute.

Creates new GS 130A-414.5 (Organ transplant discrimination on the basis of COVID-19 vaccination status prohibited), which prohibits covered health care entities from discriminating solely on the basis of an individual's COVID-19 vaccination status and lists six prohibited activities related to organ donation and transplants. Requires a covered health care entity to make reasonable modifications to allow individuals who refuse COVID-19 vaccination to access transplant services.

Effective October 1, 2023.

Intro. by Perry.

[GS 130A](#)

[View summary](#)

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

S 649 (2023-2024) [REQ. WORK TRAINING/DELINQUENT CHILD SUPPORT](#). Filed Apr 5 2023, *AN ACT TO PROVIDE FOR WORK OR WORK-RELATED ACTIVITIES AS AN ALTERNATIVE REMEDY TO INCARCERATION FOR INDIVIDUALS WHO ARE*

DETERMINED TO BE DELINQUENT ON CHILD SUPPORT PAYMENTS.

Amends GS 50-13.4(f)(9), which authorizes contempt proceedings to enforce orders or judgements for periodic payments of child support. Authorizes a court to direct the person, as a special condition of a contempt order, into job search or dually specific education training. Requires the court exercising this option to review the person's progress in at least 30-day intervals unless the person is enrolled and actively participating in work-specific training. Caps enrollment in work-specific training at six months and requires the person to comply with the following: (1) payment of at least \$50 monthly for child support; notify the court upon completing the training; and notify the court within 14 days of failing to satisfy the attendance requirements of the training.

Intro. by Smith, Daniel.

[GS 50](#)

[View summary](#)

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

S 650 (2023-2024) [GUN VIOLENCE PREVENTION ACT](#). Filed Apr 5 2023, *AN ACT TO CREATE THE OFFENSE OF POSSESSING A FIREARM OR WEAPON OF MASS DEATH AND DESTRUCTION BY A FELON DURING THE COMMISSION OR ATTEMPTED COMMISSION OF A FELONY.*

Enacts GS 14-415.1A creating the criminal offense of possession of certain weapons by felon during the commission or attempted commission of a felony. Defines brandish, firearm, and weapon of mass death and destruction.

Makes it unlawful for any person convicted of a felony to possess a firearm or weapon of mass death and destruction during the commission or attempted commission of a felony defined under the criminal law statutes (GS Chapter 14) or the NC Controlled Substances Act. Specifies that unless the conduct is covered under some other provision of law providing a greater punishment, a person who violates the section is guilty of the following: a Class D felony if the person discharges the firearm or weapon of mass death and destruction during the commission or attempted commission of the felony; a Class F felony if the person brandishes the firearm or weapon of mass death and destruction during the commission or attempted commission of the felony; and a Class H felony for any other violations. Prohibits merger of the offense with other offenses. Amends GS 14-415.1 (prohibiting possession of firearms by a felon) to specify that a violation of GS 14-415.1 is not a lesser included offense of GS 14-415.1A. Effective December 1, 2023, and applies to offenses committed on or after that date.

Intro. by Britt, B. Newton, Daniel.

[GS 14](#)

[View summary](#)

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

S 651 (2023-2024) [TAX RELIEF FOR ALL](#). Filed Apr 5 2023, *AN ACT TO REDUCE THE INCOME TAX RATE FOR THE STATE OF NORTH CAROLINA.*

Amends GS 105-153.7(a) by reducing state individual income tax rates. Taxes set as a percentage of taxable income are as follows: (1) for 2023, lowered from 4.75% to 4.5%; (2) for 2024, lowered from 4.6% to 3.99%; (3) for 2025, lowered from 4.5% to 3.49%; (4) for 2026, lowered from 4.25% to 2.99%; and (5) after 2026, lowered from 3.99% to 2.49%. Effective for taxable years beginning on or after January 1, 2023.

Intro. by Berger, Rabon, P. Newton.

[GS 105](#)

[View summary](#)

[Government, Tax](#)

S 652 (2023-2024) [INVESTING IN NORTH CAROLINA ACT](#). Filed Apr 5 2023, *AN ACT TO APPROPRIATE FUNDS TO RAISE SALARIES FOR TEACHERS, STATE EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND EMPLOYEES OF THE*

UNIVERSITY OF NORTH CAROLINA; TO PROVIDE A COST-OF-LIVING INCREASE FOR RETIREES; TO EXPAND THE WAGES PROGRAM STATEWIDE; AND TO CREATE A TAX CREDIT FOR QUALIFYING EMPLOYERS EQUAL TO THE LESSER OF FIVE PERCENT OF WAGES PAID TO EMPLOYEES DURING THE TAXABLE YEAR OR TEN THOUSAND DOLLARS.

Part I

Sets a monthly teacher salary schedule for "A" teachers for 2023-24 for licensed public school personnel classified as teachers, based on years of experience, ranging from \$4,100 for teachers with 0 years of experience to \$6,000 for 28 or more years of experience. Provides for a 12% salary supplement for licensed teachers who have National Board for Professional Teaching Standards certification; a 10% salary supplement for licensed teachers classified as "M" teachers; a \$126 salary supplement for licensed teachers with licensure based on academic preparation at the six-year degree level, in addition to the "M" teachers salary supplement; a \$253 salary supplement for licensed teachers with licensure based on academic preparation at the doctoral degree level, in addition to the "M" teachers salary supplement; a 10% salary supplement for certified school nurses; and a \$100 salary supplement for school counselors who are licensed as counselors at the master's degree level or higher.

Requires that the first step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher, must be equivalent to the sixth step of the "A" salary schedule. Provides for a 10% and \$500 salary supplement. Deems these employees eligible to receive salary supplements equivalent to those of teachers for academic preparation at the six-year degree level or the doctoral degree level. Requires that the twenty-sixth step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher must be 7.5% higher than the salary received by these same employees on the twenty-fifth step of the salary schedule. Provides that in lieu of the amounts of annual longevity payments to teachers paid on the teacher salary schedule, beginning with the 2014-15 fiscal year, the amounts of those longevity payments are included in the monthly amounts under the teacher salary schedule.

Details teacher compensation for the 2023-24 school year based on either (1) the applicable salary schedule; (2) the sum of the salary the teacher received in 2013-14, longevity pay for the 2013-14 school year, and annual bonus provided in SL 2014-100; or (3) the sum of the salary and annual bonus the teacher received in the 2014-15 school year, with the compensation amount determined to be equal to the greater of those amounts. Provides that teacher includes instructional support personnel. Appropriates \$673,612,851 million in recurring funds for 2023-24 from the General Fund to the Department of Public Instruction (DPI) to increase salaries for teachers and support personnel.

Part II

Raises salaries for certain individuals whose salaries are (1) set/authorized in this Part under the State Human Resources Act (SHRA) and (2) who are employed in a state-funded position on June 30, 2023, by 5% effective July 1, 2023, in addition to any other raises permitted by law. Raises salaries for certain individuals whose salaries are (1) set/authorized in this Part under the State Human Resources Act (SHRA) and (2) who are employed in a state-funded position on June 30, 2024, by 3% effective July 1, 2024, in addition to any other raises permitted by law.

Allows for permanent part-time employees to receive the increase on a prorated and equitable basis. Specifies that no eligible State-funded employee will be prohibited from receiving the full salary increase solely because the employee's salary after applying the 5% increase would be above the maximum of the salary range prescribed by the State Human Resources Commission (SHRC). Exempts employees of local boards of education, local community college employees, employees of The University of North Carolina, clerks of superior court compensated under GS 7A-101, certain correctional employees covered by the act, certain law enforcement officers covered by the act, certain probation and parole officers covered by the act, and employees of schools operated by the Department of Health and Human Services (DHHS), the Department of Public Safety (DPS), and the State Board of Education (Board) who are paid based on the Teacher Salary Schedule.

Authorizes state agencies to use the funding allotted to them from the Receipt-Supported Cost-of-Living Adjustment (COLA) Reserve to fundshift a limited number of receipt-supported positions in the General Fund to net appropriation funding.

Replaces references to "longevity pay" in GS Chapter 126 with "retention pay." Increases retention pay provided to employees who are full-time or over half-time and have a permanent, time-limited or probationary appointment and who are in pay status for one-half of the regularly scheduled workdays and holidays in a pay period ranging from 1% for those employees with two years but less than five years of service to 4.5% for those employees with 25 or more years of service.

Provides for retention bonuses for the 2023-24 fiscal year as follows: (1) the school personnel described in Part I who are SHRA employees and continuously employed by the State or a public school unit from July 1, 2023 to October 31, 2023, a retention bonus of \$500 paid during November 2023 (specifies for otherwise eligible local education, employees eligibility for the bonus will be measured beginning not on July 1, 2023, but on the first day when staff report for the 2023-24 school year); (2) the school personnel described in Part I who are SHRA employees and continuously employed by the State or a public school unit from November 1, 2023 to March 31, 2024, a retention bonus of \$500 paid during April 2024; (3) all permanent full-time State employees and local education employees who are continuously employed by the State or a public school unit from July 1, 2023, to October 31, 2023, and who earn an annual salary that does not exceed \$75,000 must be paid an additional retention bonus of \$250 paid during November 2023 by employers of State employees and local education employees; and (4) all permanent full-time State employees and local education employees who are continuously employed by the State or a public school unit from November 1, 2023, to March 31, 2024, and who earn an annual salary that does not exceed \$75,000 must be paid an additional retention bonus of \$250 paid during April 2024 by employers of State employees and local education employees. Specifies that the funds appropriated for retention bonuses in excess of the amounts required to implement these bonuses will revert and not be credited to the Pay Plan Reserve. Specifies how bonuses are to be paid and treated in terms of whether they are categorized as salary.

Provides for the following COLAs for community college personnel by the State Board of Community Colleges (SBCC): (1) effective July 1, 2023, a 5% across-the-board increase for all faculty and non-faculty personnel and (2) effective July 1, 2024, a 3% across-the-board increase for all faculty and non-faculty personnel. Sets a minimum salary schedule, based on education, for nine-month, full-time curriculum community college faculty for the 2023-25 fiscal biennium, ranging from \$42,267 (FY 23)/\$43,535 (FY 24) for those with a vocational diploma/certificate or less to \$50,928 (FY 23)/\$52,456 (FY 24) for those with a doctoral degree. Specifies that no full-time faculty member may earn less than the minimum salary for their education level. Provides that the pro rata hourly rate of the minimum salary for each education level shall be used to determine the minimum salary for part-time faculty members.

For the UNC system, directs that SHRA employee salaries will be increased as described in the SHRA 5%/3% raise scheme in 2023 and 2024, respectively, set forth above. Authorizes the Board of Governors to provide EHRA employees a salary increase pursuant to policies adopted by the board for one or more of the following purposes: merit pay, across-the-board increases, recruitment bonuses, retention increases, and other compensation increase pursuant to those policies. Requires the Board of Governors to report on the use of compensation to the General Assembly by March 1 of each year of the biennium.

Sets an annual salary schedule for correctional officers, based on experience and job class, for the 2023-25 fiscal biennium ranging from \$36,871 in FY 23 and \$39,977 in FY 24 for correctional officers classified as COI to \$53,001 in FY 23 and \$54,591 in FY 24 for correctional officers classified as COIII.

Sets an annual salary schedule based on the officer's respective work experience, based on experience and job class, for law enforcement officers of the State Highway Patrol, Alcohol Law Enforcement, and the State Bureau of Investigation compensated pursuant to an experience-based salary schedule for the 2023-2025 fiscal biennium ranging from \$52,735 in FY 23 and \$54,317 in FY 24 for those with 0 years experience and \$76,949 in FY 23 and \$79,257 in FY 24 for those with 6 years or more of experience.

Sets an annual salary schedule for probation and parole officers, based on experience, for the 2023-25 fiscal biennium ranging from \$44,517 in FY 23 and \$45,853 in FY 24 for officers with 0 years experience to \$64,958 in FY 23 and \$66,907 in FY 24 for officers with 6 years or more of experience.

Specifies that employees of the schools operated by DHHS, DPS, and the Board who are paid on the Teacher Salary Schedule will be paid as authorized by the act and that employees of the School of Science and Mathematics of The University of North Carolina who are paid pursuant to a salary schedule adopted by the North Carolina School of Science and Mathematics Board of Trustees will be paid in accordance with the schedule adopted by that board.

Specifies that the COLAs authorized by the act will be paid on July 1 of each fiscal year of the 2023-25 fiscal year biennium and does not apply to persons who separated from service due to resignation, dismissal, reduction in force, death, or retirement or whose last workday is prior to June 30 of the 2023 and 2024 fiscal years, respectively. Provides for flexibility by the Director of the Budget (Director) to administer the act. Sets forth provisions related to the effective dates of State employer contribution rates for administrative purposes. Specifies that the administration provisions described in this paragraph apply to all employees paid by State funds, whether or not subject to or exempt from the SHRA, including employees of public schools, community colleges, and The University of North Carolina. Sets default salary increase date of June 30, 2023 and June 30,

2024, respectively for the following State personnel covered by the 5%/3% raise scheme in 2023 and 2024, respectively, set forth above, unless another requirement applies under other provisions of the act: permanent, full-time State officials and persons whose salaries are set in accordance with the SHRA, permanent, full-time State officials and persons in positions exempt from the SHRA, permanent, part-time State employees, and temporary and permanent hourly State employees.

Bars state agencies from using funds for salary increases for any other purpose. Requires the Office of Budget and Management (OMB) to ensure the appropriations are being used appropriately. Specifies that funds appropriated for COLAs and employee benefit increases cannot be used to adjust the budgeted salaries of vacant positions or to provide salary increases in excess of those required by the General Assembly except to increase the budgeted salary of any position to the minimum of the position's salary range and to meet retention pay needs. Authorizes the Director to reallocate funds if they find the funds are being used for other purposes. Specifies that the funds appropriated for COLA and employee benefit increases in excess of the amounts required will be credited to the Pay Plan Reserve. Requires OMB to report to the specified NCGA committee by no later than March 1 of each year of the 2023-25 biennium on the expenditure of funds for legislatively mandated salary increases and employee benefits with four specified matters that must be addressed.

During the 2023-25 fiscal biennium, permits State agencies, departments, institutions, the North Carolina Community College System, and The University of North Carolina to offer State employees the opportunity to use or to cash in special bonus leave benefits that have accrued pursuant to Section 28.3A of SL 2002-126, Section 30.12B(a) of SL 2003-284, Section 29.14A of SL 2005-276, and Section 35.10A of SL 2014-100, but only if all of the following requirements are met: (1) employee participation in the program is voluntary; (2) special leave that is liquidated for cash payment to an employee must be valued at the amount based on the employee's current annual salary rate; and (3) by September 1, 2024, and September 1, 2025, a report on the demographic information must be submitted to the respective agency head or employing agency and to the Fiscal Research Division.

Specifies that, effective July 1, 2023 and July 1, 2024, respectively, the total of the State's contribution rates for retirement and related benefits as a percentage of covered salaries for the 2023-24 fiscal year for teachers and State employees (TSERS), State law enforcement officers (LEOs), the University and Community Colleges Optional Retirement Programs (ORPs), the Consolidated Judicial Retirement System (CJRS), and the Legislative Retirement System (LRS) are as follows: 24.62% in FY 23 and 24.51% in FY 24 for TSERS; 29.62% in FY 23 and 29.51% for State LEO's; 14.07% in FY 23 and 14.25% in FY 24 for ORP's; 44.38% in FY 23 and 44.56% for CJRS; and 29.17% in FY 23 and 29.35% in FY 24 for LRS. Specifies that the rate for teachers and State employees and State law enforcement officers includes one one-hundredth percent (0.01%) for the Qualified Excess Benefit Arrangement.

Sets maximum annual employer contributions by the State to the State health plan are \$7,619 for employees and \$5,498 for retirees in FY 23 and \$8,153 for employees and \$5,641 for retirees in FY 24. Specifies that in applying this to retirees, the annual employer contribution for the average retiree must be calculated assuming the retiree enrollment counts remain at the specified levels.

Amends GS 135-5 (pertaining to benefits under TSERS), GS 135-65 (post retirement increases under CJRS), GS 120-4.22A (post retirement increases under LRS) as follows. From and after July 1, 2023, provides for a 2% COLA for certain beneficiaries who retired on or before July 1, 2022, and for employees who retired after July 1, 2022 and before June 30, 2023. Provides for proration. After September 1, 2023, but on or before October 31, 2023, provides for a one-time 2% COLA supplement payment will be paid on or behalf of living beneficiaries whose retirement began on or before September 1, 2023. Does not allow for proration. Sets forth provisions related to payment if the beneficiary dies before payment is made. Sets forth a 1% one-time COLA supplement payment to living beneficiaries who are living as of September 1, 2024, and whose retirement began on or before that date. Does not allow for proration. Sets forth provisions related to payment if the beneficiary dies before payment is made. Specifies that no beneficiary will be deemed to have acquired a vested right to any future supplemental payments.

Specifies the following appropriations effective July 1, 2023, to fund the pay increases and cost-of-living adjustments described above. Appropriates from the General Fund to the Reserve for Compensation Increases \$666,842,000 in recurring funds for the 2023-24 fiscal year and \$568,443,000 in nonrecurring funds for the 2023-24 fiscal year. Appropriates from the General Fund to the Reserve for Compensation Increases the sum of \$1,003,074,000 in recurring funds for the 2024-25 fiscal year and \$43,466,000 in nonrecurring funds for the 2024-25 fiscal year.

Appropriates from the General Fund to DHHS \$22.7 million in recurring funds for the 23-2024 fiscal year and \$36.3 million in recurring funds for the 2024-25 fiscal year to expand the Child Care WAGES program, which provides salary supplements for early childhood educators. Requires the funds to be used to provide education-based supplements to low-wage educators and expand the program to all 100 counties in this State. Specifies that the Division must administer the WAGES program in the same manner as the Infant-Toddler Educator AWARD\$ program.

Part IV

Enacts GS 105-163.6B (providing a tax credit to employers for wages paid). Defines term qualifying taxpayer to mean an employer or payer subject to income tax that has annual receipts for the most recent previous tax year of \$8 million or less. Permits qualifying taxpayers to take a credit equal to the lesser of \$10,000 or 5% of the wages paid by the qualifying taxpayer during the taxable year. Requires the Secretary to refund the excess to the qualifying taxpayer if the credit plus any other allowable credits exceed the tax imposed. Specifies provisions governing the refundable excess and methods of computation. Provides for substantiation by the qualifying taxpayer upon request of the Secretary. Effective for taxable years beginning on or after January 1, 2024, and sunsets for taxable years beginning on or after January 1, 2027.

Effective July 1, 2023.

Intro. by Applewhite, Garrett, Salvador.

[APPROP, GS 105, GS 120, GS 135](#)

[View summary](#)

[Courts/Judiciary, Court System, Education, Preschool, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, General Assembly, State Agencies, Community Colleges System Office, UNC System, Department of Revenue, Office of State Budget and Management, State Government, State Personnel, Tax](#)

S 653 (2023-2024) [ACCESS TO SPORTS AND EXTRACURRICULARS FOR ALL](#). Filed Apr 5 2023, *AN ACT TO PERMIT STUDENTS WHO ATTEND A PUBLIC SCHOOL, PRIVATE SCHOOL, OR HOME SCHOOL WITHOUT AN INTERSCHOLASTIC ATHLETICS PROGRAM IN A GIVEN SPORT OR PARTICULAR EXTRACURRICULAR ACTIVITY TO PARTICIPATE IN THAT ACTIVITY AT A PUBLIC HIGH SCHOOL*.

Amends GS 115C-407.55 to amend the student eligibility rules for participation in interscholastic activities. Allows public high school students who attend schools that do not have interscholastic athletics programs in any given sport to participate in the sport at the public high school closest to the student's school which has a program in that sport, subject to the terms and conditions applicable to a regularly enrolled member of that school's student body. Also, provides that a private school or home-schooled student may likewise participate in sports programs at the base public high school for the student's home address. Authorizes the public school providing an opportunity for students who attend other schools to participate in interscholastic athletics programs to charge a reasonable fee for participation to the student who is not enrolled in that school as established by the local board of education under GS 115C-47(6).

Makes a conforming change to GS 115C-47(6) regarding the administration of the fee charged to participating students in sports and other extracurricular activities.

Effective when the act becomes law and applies beginning with 2023-24 school year.

Intro. by Hise, Ford, Galey.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 654 (2023-2024) [REVISE ANIMAL FIGHTING LAWS](#). Filed Apr 5 2023, *AN ACT TO PROHIBIT THE ATTENDANCE OF MINORS AT CERTAIN EXHIBITIONS OF ANIMAL FIGHTING AND TO PROHIBIT POSSESSION OF CERTAIN ANIMALS WITH THE INTENT THAT THEY BE USED IN EXHIBITIONS OF ANIMAL FIGHTING*.

Amends GS 14-362 (Cockfighting) to make causing or allowing a minor under 18 years old to be present at a cockfight a Class I felony under that section. Adds subsection (b), making it a Class I felony for a person to knowingly own, offer to buy or sell, or otherwise prepare a cock for cockfighting.

Amends GS 14-362.2(a) to make causing or allowing a minor under 18 years old to be present at any type of dog fight a Class H felony.

Contains a severability clause.

Effective and applicable to offenses committed after December 1, 2023.

Intro. by Lowe, Britt.

[GS 14](#)

[View summary](#)

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

S 662 (2023-2024) [FUNDS FOR ADAPTIVE EXERCISE EQUIPMENT](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS TO THE ALLIANCE OF DISABILITY ADVOCATES TO BE USED TO PURCHASE ADAPTIVE EXERCISE EQUIPMENT*.

Appropriates \$100,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to the Alliance of Disability Advocates as title indicates. Specifies that no more than \$5,000 of these funds may be expended on any single piece of equipment. Effective July 1, 2023.

Intro. by Chaudhuri.

[APPROP](#)

[View summary](#)

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

S 664 (2023-2024) [SUPPORT/EXPAND WORKFORCE IDD OPTIONS](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS TO EXPAND COMMUNITY EMPLOYMENT SERVICES PROVIDED BY THE DIVISIONS OF SERVICES FOR THE BLIND AND VOCATIONAL REHABILITATION SERVICES FOR CITIZENS WITH DISABILITIES*.

Identical to [H 583](#), filed 4/6/23.

Appropriates \$128,400 in recurring funds for 2023-24 and \$385,000 in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Services for the Blind.

Appropriates \$458,000 in recurring funds for 2023-24 and \$1,375,000 in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Vocational Rehabilitation Services.

Funds shall be used for recruitment and retention of service-critical positions and to increase the rates to service providers to enhance capacity.

Effective July 1, 2023.

Intro. by Burgin.

[APPROP](#)

[View summary](#)

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

S 676 (2023-2024) [RESTRICTED DL FOR UNDOCUMENTED IMMIGRANTS](#). Filed Apr 6 2023, *AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED DRIVERS LICENSES TO UNDOCUMENTED IMMIGRANTS*.

Enacts GS 20-7(e1) to require the Division of Motor Vehicles (Division) to issue a Class C drivers license to an applicant present in the United States who meets five criteria, including that the applicant (1) has limited legal status or is not lawfully present, (2) provides either a valid tax identification number, current passport, or a valid consular identification document, (3) has resided in NC for at least one year prior to the date of application, (4) complies with specified tax requirements, and (5) meets all other requirements for a drivers license, including proof of financial responsibility. Sets initial restricted licenses to expire on the birthday of the licensee in the second year after issuance, with renewed licenses expiring two years after the expiration date of the license that is renewed. Sets the initial restricted drivers license fee and renewal fee at \$50. Excludes renewal of restricted licenses from remote renewal eligibility. Requires a restricted drivers license to be a unique design or color distinguishing it from Real IDs.

Enacts GS 20-10.2 to disallow using a restricted drivers license to establish identity for purposes of federal building or property access, demonstrating eligibility for employment, voter registration, or public benefits, or legitimizing the person's presence in the US or the State.

Enacts GS 20-10.3 deeming the information provided by an applicant to obtain a restricted drivers license inadmissible in legal proceedings. Adds that possession of such a license, standing alone, is not a basis for a criminal investigation, arrest, or detention in circumstances in which a person who possesses some other form of identification would not be criminally investigated, arrested, or detained.

Amends GS 20-15 to allow the Division to cancel a driver's license upon determining the licensee is no longer authorized under federal law to be legally present in the US and the licensee does not otherwise qualify for a restricted license.

Enacts GS 163-82.19(a1) to prohibit the Division from offering a restricted license applicant an opportunity to register to vote. Requires the Division to provide a list of applicants monthly to the Board of Elections.

Effective October 1, 2023.

Intro. by Lowe, Marcus.

[GS 20, GS 163](#)

[View summary](#)

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

S 681 (2023-2024) [POLLUTER PAYS](#). Filed Apr 6 2023, *AN ACT TO MAKE PERSONS CAUSING OR CONTRIBUTING TO CONTAMINATION RESPONSIBLE FOR COSTS OF CLEANUP AND PROVISION OF ALTERNATIVE WATER SUPPLIES TO PERSONS WITH WATER SUPPLIES AFFECTED BY SUCH CONTAMINATION*.

Amends GS 143-215.3, which establishes the general and auxiliary powers of the Environmental Management Commission (Commission) and the Department of Environmental Quality (DEQ). Authorizes the Secretary of DEQ (Secretary) to order persons causing or contributing to water or air pollution that is causing danger to the health or safety of the public, revealed by an investigation pursuant to Article 21 (Water and Air Resources) or Article 21B (Air Pollution Control) of GS Chapter 143, to immediately reduce or discontinue the emission or discharge, or take other necessary measures or omissions, within a period of time specified at the discretion of the Secretary. Permits the Secretary to order the person to provide alternate water supplies or to establish a permanent replacement water supply to persons with water supplies damaged by the water or air pollution in question at the discretion of the Secretary. Specifies that the establishment of a permanent replacement water supply must be by connection to a public water supply, unless an affected household opts for a whole house filtration system that the responsible person will be required to install and maintain. Additionally, the Secretary is authorized to assess the person causing or contributing to the pollution in question for any actual and necessary costs incurred by the State in removing, correcting, or abating any adverse effects upon the water or air resulting from the pollution for which the person is responsible. Authorizes the Secretary to file a civil action in superior court in the county where the pollution in question occurred or where

the person resides or has its principal place of business to recover sums assessed if a person refuses or fails to pay within a reasonable time.

Amends GS 143-215.2, which authorizes the Commission to issue a special order or other instrument to any person responsible for causing or contributing to any pollution of state waters within an area for which standards have been adopted pursuant to GS 143-214.1 or GS 143-215. Adds to the Commission's authority to issue special orders by specifying that a special order can include a requirement that the responsible person provide temporary alternate or permanent replacement water supplies to persons with supplies damaged by the water pollution in question.

Appropriates \$75,000 from the General Fund to DEQ for 2023-24 to implement the act. Effective July 1, 2023.

Exempts the act from the provisions of GS 143C-5-2, concerning the order of appropriations bills.

Intro. by Garrett, Marcus, Mayfield.

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Public Enterprises and Utilities

S 682 (2023-2024) **PROTECT CHILDREN FROM LEAKING GARBAGE TRUCKS**. Filed Apr 6 2023, *AN ACT TO RESTORE PUBLIC HEALTH PROTECTIONS FROM LEAKING SOLID WASTE TRANSPORT VEHICLES*.

Repeals Section 59.2 of SL 2013-413, which required the Commission for Public Health to implement 15A NCAC 13B .0105 (Collection and Transportation of Solid Waste; "rule") by means of not requiring vehicles or containers used for the collection and transportation of solid waste to be leak-proof, but allowing the Commission to require that these containers be designed and maintained to be leak-resistant in accordance with industry standards. Required the Commission to adopt a permanent rule to replace the rule, substantively identical to the implementation provisions provided.

Directs the Commission to readopt a rule substantively identical to 15A NCAC 13B .0105, Collection and Transportation of Solid Waste, as it existed on August 22, 2013. Requires the Commission and the Department of Environmental Quality to implement the rule as it existed prior to the effective date of SL 2013-413 until the effective date of the readopted rule.

Intro. by Garrett, Robinson, Woodard.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health

S 688 (2023-2024) **CHILD CARE ACT**. Filed Apr 6 2023, *AN ACT TO REENACT THE CHILD CARE TAX CREDIT, TO EXPAND THE NORTH CAROLINA PREKINDERGARTEN (NC PRE-K) PROGRAM AND INCREASE CARE SUBSIDY BY APPROPRIATING FUNDS FOR THOSE PURPOSES, TO PROVIDE LUNCH IN PUBLIC SCHOOLS AT NO COST TO STUDENTS THROUGH AN ALLOCATION BASED ON SCHOOL FOOD AUTHORITY EVALUATIONS, TO APPROPRIATE FUNDS FOR PUBLIC CHILD CARE PROVIDED BY COMMUNITY COLLEGES, AND TO REQUIRE A REPORT ON THE FEASIBILITY AND ADVISABILITY OF A HIGH SCHOOL CHILD CARE APPRENTICESHIP PROGRAM*.

Identical to [H 398](#), filed 3/15/23.

Part I.

Reenacts GS 105-151.11 (Credit for child care and certain employment-related expenses) as it existed immediately before its expiration on January 1, 2014. Recodifies the statute as GS 105-153.11. Provides for a tax credit for employment-related expenses incurred by a taxpayer based on the taxpayer's filing status, adjusted gross income, and qualifying dependent(s)'s

status, with the applicable percentage changing depending on the dependent's age. Makes current percentage category A applicable with respect to dependents age 18 up to 25 (was, seven or older); current category B applicable with respect to dependents age 12 up to 18; new percentage category C applicable with respect to dependents age 6 up to 12; and new percentage category D (was, percentage category B) applicable to any other qualifying individual. Percentages range from 5.5% to 13% (was, 7% to 13%). Caps the amount of employment-related expenses for which a credit can be claimed at \$3,000 for taxpayers with a household that includes one qualifying individual, and \$6,000 for taxpayers with a household that includes more than one qualifying individual. Updates statutory references concerning calculations for nonresidents and part-time residents. Effective for taxable years beginning on or after January 1, 2024.

Part II.

Appropriates \$200 million in recurring funds for 2023-25 from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education, for the North Carolina Prekindergarten Program to expand the number of slots by 32,000.

Part III.

Appropriates \$35 million in recurring funds for 2023-25 from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education, to increase funding for subsidized child care.

Part IV.

Amends GS 115C-263 to require public school units to have a school food authority to provide school nutrition services in the schools under their jurisdiction by offering students free lunch (was, local boards of education must provide to the extent practicable school nutrition services in the schools under their jurisdiction). Adds that a school food authority may offer students a free breakfast option, unless the student is eligible for the School Breakfast Program. Requires the State Board of Education, to the extent funds are available for this purpose, to allocate funds to school food authorities at public school units to provide students free healthy lunches. Requires, in issuing the allocation, that the amount be determined based on an evaluation of the authority's nutrition services (sets out minimum requirements for the method and criteria used for the evaluation), that funds be distributed on a fair and equitable basis, and the allocation be issued at the beginning of the fiscal year, with the Board allowed to reserve for future allocation an amount not to exceed 10%. Specifies that funds allocated under this statute supplement and do not supplant funds from other sources for the same purpose.

Amends GS 115C-218.75 by requiring charter schools, GS 115C-238.72 by requiring regional schools, GS 115C-150.14 by requiring schools for students with visual and hearing impairments, and GS 116-239.8 requiring laboratory schools, to provide school nutrition services according to GS 115C-263 and GS 115C-263 (setting out requirements for school nutrition programs, including that they participate in the National School Lunch Program). Makes conforming changes.

Appropriates \$105 million in recurring funds for 2023-24 from the General Fund to the Department of Public Instruction to provide free lunch to public school students. Allows the use of funds appropriated to State Aid for Public Schools for this purpose if this funding is insufficient for 2023-24.

Appropriates \$3,166,600 for 2023-24 from the General Fund to the Department of Public Instruction for 2023-24 to satisfy outstanding school nutrition program debt. Requires the use of funds appropriated to State Aid for Public Schools for this purpose if this funding is insufficient for 2023-24.

Gives the State Board of Education authority to adopt temporary rules to enact this section until permanent rules are adopted.

Part V.

Appropriates \$10 million for 2023-24 from the General Fund to the Community Colleges System Office to be allocated proportionally to each community college with an active child care program that is available to the public to support and maintain that program. Requires the State Board of Community Colleges (State Board) to adopt a formula for allocating the funds. Requires funds to be allocated based on the number of children served and prioritizes awards based on the program's financial need. Funds remain available until expended.

Requires community colleges that do not have a publicly available child care program to report to the State Board on the feasibility and advisability of implementing a program. Requires the State Board to report the information to the specified NCGA committee by March 31, 2024.

Part VI.

Requires the Department of Public Instruction, in consultation with partner agencies (Department of Health and Human Services, UNC Board of Governors, and the State Board), to report to the specified NCGA committee by December 31, 2024, on the feasibility and advisability of implementing a child care apprenticeship program in public high schools. Specifies information to be included in the report. Requires the NCGA committee to meet by February 28, 2025, to receive a presentation from the Department on the report.

Part VII.

Unless otherwise indicated, effective July 1, 2023.

Intro. by Mohammed, Murdock.

[APPROP, GS 105, GS 115C, GS 116](#)

[View summary](#)

[Education, Preschool, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, UNC System, Department of Health and Human Services, Department of Public Instruction, State Board of Education, Tax](#)

S 689 (2023-2024) [UI WORK SHARING/SHORT-TIME COMP.](#) Filed Apr 6 2023, *AN ACT ESTABLISHING AN UNEMPLOYMENT INSURANCE SHORT-TIME COMPENSATION PROGRAM TO BENEFIT EMPLOYERS AND EMPLOYEES.*

Enacts Article 6, Work-Sharing and Short-Time Compensation, of GS Chapter 96. Establishes a short-time compensation program that allows employers to submit a short-time compensation plan for approval by the Division of Employment Security (Division) for an affected unit of the employer to avert layoffs and offer short-time compensation to workers in the affected unit under an approved plan.

Requires an employer to submit a signed, written short-time compensation plan (plan) to the Division for approval. Requires the Division to develop an application form that includes ten specified components, including (1) the affected units and employees covered; (2) the employees' usual weekly hours of work, as defined, and the employer's proposed reduction percentage during weeks covered by the plan, which must be between 10 and 60 percent; (3) certification of continued health and retirement benefits, as defined, during weeks covered by the plan; (4) certification that the aggregate reduction of work hours is in lieu of layoffs; (5) certification that any affected collective bargaining unit agrees with the plan; and (6) the effective date and duration of the plan, which cannot exceed 12 months. Provides for flexibility in the application process for demonstrated good cause, such as modes of operation that preclude setting specific dates and hours in the application. Excludes overtime work from the term usual weekly hours of work, and prohibits the hours from exceeding 40.

Requires the Division to approve or disapprove the plan in writing within 30 days of receipt and to promptly notify the employer. Requires notice of disapproval to include specific reasoning. Allows submission of another plan after 90 days of disapproval.

Details parameters regarding the effective date and duration of the plan, allowing plans to expire earlier than the end of the twelfth calendar month after its effective date. Allows an employer to terminate the plan at any time upon written notice to the Division. Allows an employer to submit a new application at any time after the expiration or termination date of a plan.

Allows for the Division to revoke plan approval for good cause at any time. Requires revocation to be in writing and include specific reasoning. Provides that revocation terminates the plan on the date specified in the order. Authorizes the Division to periodically review plans to assure no good cause exists for revocation, such as failure to comply with the assurances given in the plan, unreasonable revision of productivity standards for the affected unit, conduct or occurrence tending to defeat the intent and effective operation of the plan, and violation of any criteria on which approval of the plan was based.

Details requirements and limitations regarding plan modification. Prohibits any modification from extending the original plan's expiration date. Requires reporting of any modification that is not substantial which does not require Division approval.

Details eligibility for short-time compensation and benefits included under an approved plan. Eligibility criteria are that the individual be monetarily eligible and not disqualified for unemployment compensation who: (1) during the week, is employed as a member of an affected unit under a prior approved plan and the plan is in effect with respect to the week for which compensation is claimed; (2) is available for his or her usual hours of work with the employer, including training; and (3) is deemed unemployed in any week during the duration of the plan when remuneration as an employee in an affected unit is reduced based on a reduction of the individual's usual weekly hours of work under an approved plan. Defines unemployment compensation to mean the unemployment benefits payable under new Article 6 other than short-time compensation including any amounts payable pursuant to an agreement under any federal law providing for compensation, assistance, or allowances with respect to unemployment. Sets the weekly compensation amount to be the product of the regular weekly unemployment compensation amount for a week of total unemployment multiplied by the percentage of reduction in the individual's usual weekly hours of work. Bars eligibility for combined benefits in any benefit year in an amount more than the maximum entitlement for regular unemployment compensation and payment for more than 52 weeks under the plan. Details further parameters and limitations for compensation, including relation to regular unemployment compensation and the impact of working or not working for a short-time employer and/or another employer during weeks covered by the plan.

Provides that short-time compensation benefits must be charged to an employers' experience rating accounts in the same manner as unemployment compensation charged under GS Chapter 96. Adds that employers liable for payments in lieu of contributions must have short-time compensation attributed to service in their employ in the same manner as unemployment compensation is attributed.

Deems an individual who has received all of the short-time compensation or combined unemployment compensation and short-time compensation available in a benefit year to be an exhaustee of extended benefits unless otherwise eligible for extended benefits.

Includes a severability clause.

Effective 60 days from the date the act becomes law and applying retroactively to claims arising, and to plans submitted, on or after April 15, 2023.

Intro. by Woodard.

GS 96

[View summary](#)

Employment and Retirement

S 690 (2023-2024) [SUPPORT OUR DIRECT CARE WORKFORCE](#). Filed Apr 6 2023, *AN ACT TO PROVIDE A MEDICAID RATE INCREASE TO BE USED TO SUPPORT THE DIRECT CARE WORKFORCE*.

Directs the Department of Health and Human Services (DHHS), Division of Health Benefits (DHB), to provide a rate increase to six identified Medicaid providers for services related to the provision of direct care to Medicaid beneficiaries, including personal care service providers, home health providers, and behavioral health residential facilities. Effective October 1, 2023, upon approval of the Centers for Medicare and Medicaid Services (CMS).

Mandates that providers use at least 80% of funding resulting from the rate increase to increase the wages paid to its direct care employees, in addition to the rate of pay each employee was receiving as of September 30, 2023.

Upon implementation of this rate increase, directs DHB to adjust the per-member, per-month capitation amount paid to LME/MCOs and to prepaid health plans (PHPs), including amounts sufficient to implement the same rate increase for providers paid by the LME/MCO or PHP as paid to providers under the Medicaid fee-for-service program. Requires all LME/MCOs and PHPs to implement the rate increase. Subjects all providers receiving a rate increase to the requirements of the act regardless if paid by an LME/MCO, PHP, or DHB.

Requires all providers receiving the rate increase to attest and provide verification that at least 80% of the funding resulting from the rate increase is being used to increase the wages paid to its direct care employees. Requires recording documentation of the use with DHB, LME/MCOs, and PHPs authorized to require verifiable methods of accounting.

Appropriates \$187.5 million in recurring funds for 2023-24 and \$250 million in recurring funds for 2024-25 from the General Fund to DHB to provide a State match for a specified amount of federal funds for each fiscal year. Appropriates the federal funds to be used for costs associated with the act's implementation. Effective July 1, 2023.

Authorizes DHB to recoup funds related to the rate increase received by a provider if DHB determines that the provider did not use at least 80% of the funding that results from that rate increase to increase the wages paid to its direct care employees.

Intro. by Moffitt.

[APPROP, UNCODIFIED](#)

[View summary](#)

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

S 694 (2023-2024) [FUNDS FOR READY FOR SCHOOL, READY FOR LIFE](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS TO READY FOR SCHOOL, READY FOR LIFE TO CONTINUE STATE FINANCIAL SUPPORT OF AN INTEGRATED DATA SYSTEM FOR EARLY CHILDHOOD DEVELOPMENT PROGRAMS*.

Identical to [H 405](#), filed 3/16/23.

Appropriates from the General Fund \$4.8 million in nonrecurring funds for the 2023-2024 fiscal year to provide a directed grant to Ready for School, Ready for Life, a nonprofit organization developing and providing a system of care for children prenatally to 5 years of age to improve outcomes and school readiness. Directs that the grant be used to support the building, testing, and improving of an integrated data system technology to (1) enable care coordination, service monitoring, and outcomes tracking for young children and families and the government agencies and nonprofits that serve them and (2) provide empirical outcomes data to facilitate decision making by policymakers. Effective July 1, 2023.

Intro. by Garrett.

[APPROP](#)

[View summary](#)

[Education, Preschool, Government, Budget/Appropriations](#)

S 695 (2023-2024) [REENACT CHILD CARE TAX CREDIT](#). Filed Apr 6 2023, *AN ACT TO REENACT THE CHILD CARE TAX CREDIT*.

Reenacts GS 105-151.11 (Credit for child care and certain employment-related expenses) as it existed immediately before its expiration on January 1, 2014. Recodifies the statute as GS 105-153.11. Provides for a tax credit for employment-related expenses incurred by a taxpayer based on the taxpayer's filing status, adjusted gross income, and qualifying dependent(s)'s status, with the applicable percentage ranging from 9% to 13%. Caps the amount of employment-related expenses for which a credit can be claimed at \$3,000 for taxpayers with a household that includes one qualifying individual, and \$6,000 for taxpayers with a household that includes more than one qualifying individual. Updates statutory references concerning calculations for nonresidents and part-time residents. Effective for taxable years beginning on or after January 1, 2023.

Intro. by Mohammed.

[GS 105](#)

[View summary](#)

[Government, Tax](#)

S 701 (2023-2024) [NC A&T RESEARCH LABS/FUNDS](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY TO RECRUIT FACULTY AND STAFF AND TO CONTINUE AND UPGRADE CRITICAL RESEARCH LABS AND EDUCATIONAL SPACES*.

Appropriates \$15 million for 2023-24 from the General Fund to the UNC Board of Governors to be allocated to NC Agricultural and Technical State University as title indicates. Effective July 1, 2023.

Intro. by Garrett, Robinson.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, UNC System](#)

S 702 (2023-2024) [FUNDS FOR GTCC FAME PARTNERSHIP](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS FOR GUILFORD TECHNICAL COMMUNITY COLLEGE FOR ITS NORTH CAROLINA FEDERATION OF ADVANCED MANUFACTURING EDUCATION (NC FAME) PROGRAM.*

Identical to [H 404](#), filed 3/16/23.

Appropriates \$9 million from the General Fund to the Community Colleges System Office to be allocated to Guilford Technical Community College as title indicates. Effective July 1, 2023.

Intro. by Garrett, Robinson.

[APPROP, Guilford](#)

[View summary](#)

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

S 703 (2023-2024) [AMEND 1-YR SEP/REPEAL ALIEN. OF AFF/CRIM. CON.](#) Filed Apr 6 2023, *AN ACT TO REDUCE THE REQUIRED PERIOD OF SEPARATION FOR ABSOLUTE DIVORCE FROM ONE YEAR TO SIX MONTHS, TO ALLOW PARTIES TO COHABITATE FOR FINANCIAL REASONS, TO WAIVE THE PERIOD OF SEPARATION FOR UNCONTESTED DIVORCES IN WHICH NO MINOR CHILDREN ARE INVOLVED, AND TO ABOLISH THE COMMON-LAW CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION.*

Decreases the required period of separation prior to divorce under GS 50-6 from one year to six months. Adds a new provision permitting the parties to waive the separation period requirement if the divorce is uncontested and does not involve minor children. Provides that the statutory period for separation is not tolled for cohabitation of the parties for financial reasons. Makes conforming changes. Makes conforming changes to required content of a complaint for divorce under GS 50-8 where separation is the cause.

Enacts GS 52-14 to abolish common-law causes of action for alienation of affection and criminal conversation. Provides a savings clause for cases pending when the act becomes law. Makes a conforming repeal of GS 52-13, which sets forth procedures for causes of action for alienation of affection and criminal conversation.

Intro. by Mayfield, Grafstein.

[View summary](#)

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

S 708 (2023-2024) [SCHOOL MEALS FOR EVERY CHILD](#). Filed Apr 6 2023, *AN ACT TO PROVIDE BREAKFAST AND LUNCH IN PUBLIC SCHOOLS AT NO COST TO STUDENTS THROUGH AN ALLOCATION BASED ON SCHOOL FOOD AUTHORITY EVALUATIONS.*

Amends GS 115C-263 to require public school units to have a school food authority to provide school nutrition services in the schools under their jurisdiction by offering students two meals per day, breakfast and lunch (was, local boards of education must provide to the extent practicable school nutrition services in the schools under their jurisdiction). Requires the State Board of Education, to the extent funds are available for this purpose, to allocate funds to school food authorities at public

school units to provide students with free healthy nutrition services. Requires, in issuing the allocation, that the amount be determined based on an evaluation of the authority's nutrition services (sets out minimum requirements for the method and criteria used for the evaluation), that funds be distributed on a fair and equitable basis, and the allocation be issued at the beginning of the fiscal year, with the Board allowed to reserve for future allocation an amount not to exceed 10%. Specifies that funds allocated under this statute supplement and do not supplant funds from other sources for the same purpose.

Amends GS 115C-218.75 by requiring charter schools, GS 115C-238.72 by requiring regional schools, GS 115C-150.14 by requiring schools for students with visual and hearing impairments, and GS 116-239.8 requiring laboratory schools, to provide school nutrition services according to GS 115C-263 and GS 115C-264 (setting out requirements for school nutrition programs, including that they participate in the National School Lunch Program). Makes conforming changes.

Appropriates \$148.8 million in recurring funds for 2023-24 from the General Fund to the Department of Public Instruction to provide nutrition services to students in public school units at no cost to the students. Allows the use of funds appropriated to State Aid for Public Schools for this purpose if this funding is insufficient for 2023-24.

Authorizes the State Board of Education to adopt temporary rules to enact the act until such a time as permanent rules can be adopted.

Effective July 1, 2023.

Intro. by Mohammed, Murdock, Bode.

GS 115C

[View summary](#)

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

S 712 (2023-2024) [CREATE BLDG. CODE PERMIT TECH. CERT.](#) Filed Apr 6 2023, *AN ACT TO CREATE A STATE BUILDING CODE PERMIT TECHNICIAN CERTIFICATION.*

Identical to [H 320](#), filed 3/8/23.

Amends GS 143-151.12 to give the North Carolina Code Officials Qualification Board (Board) the power to certify persons as being qualified under the provisions of this Article to be State Building Code Permit Technicians. Enacts new GS 143-151.22 requiring the Board to develop a State Building Code Permit Technician certification program and State Building Code Permit Technician Certificate. Requires passing an exam, made up of specified topics, to obtain a certificate. Allows the Board to establish professional development requirements for State Building Code Permit Technicians as a condition of certificate renewal. Requires certificate holders to present evidence to the Board at each certificate renewal that during the 12 months before the certificate expiration date, the certificate holder has completed the required number of credit hours in Board-approved courses. Requires certificates to be renewed annually. Requires the Board to establish a fee schedule for initial certification and renewal certification, with an application fee of no more than \$20 and a fee of no more than \$10 for the issuance of a renewal certification. Allows a \$4 late renewal fee. Allows granting a certificate without taking the exam to a person with a Building Inspector standard certificate issued by the Board and who is in good standing. Allows the Board to grant a certificate to a person who does not take the exam if at the time of application the person is similarly certified as a permit technician in good standing by a similar board of another jurisdiction or certified as a permit technician in good standing by the International Code Council. Specifies that such a certificate expires after one year unless, within that time period, the holder completes a short course.

Effective July 1, 2023.

Intro. by Jarvis.

GS 143

[View summary](#)

**Business and Commerce, Occupational Licensing,
Development, Land Use and Housing, Building and
Construction**

S 716 (2023-2024) [CAREGIVER TAX CREDIT](#). Filed Apr 6 2023, *AN ACT TO ENACT THE FAMILIES AND VETERANS CAREGIVER TAX CREDIT*.

Identical to [S 480](#), filed 4/3/23.

Enacts GS 105-153.11, establishing a tax credit in the amount of \$3,000 for a taxpayer that has a qualifying relative, as defined in the Code, that is a veteran of the US Armed Forces and \$1,500 for a taxpayer with any other qualifying relative for which the taxpayer is allowed a federal exemption. Sets income limits that the taxpayer's adjusted gross income must be less than, based on filing status, to qualify for the credit, ranging from \$75,000 for single or married/filing separately, to \$150,000 for married/filing jointly/surviving spouse. Allows the credit for each qualifying relative of the taxpayer for whom the taxpayer is allowed a federal exemption. Provides calculations of the credit for nonresidents or part-year residents. Prohibits the credit from exceeding the income tax imposed by the State for the taxable year reduced by the sum of all credits allowable, except payments of tax made by or on behalf of the taxpayer. Effective for taxable years beginning on or after January 1, 2023.

Intro. by Mohammed, Robinson, Bode.

[GS 105](#)

[View summary](#)

[Government, State Agencies, Department of Revenue, Tax, Military and Veteran's Affairs](#)

S 717 (2023-2024) [AFFORDABLE ACCESS TO INSULIN ACT](#). Filed Apr 6 2023, *AN ACT TO LIMIT AN INSURED'S COPAYMENT FOR INSULIN AND TO STUDY THE FEASIBILITY OF FURTHER REDUCING INSULIN COPAYMENTS*.

Enacts GS 58-3-295 to prohibit an insured's copayment under a health benefit plan that covers insulin from exceeding \$25 for a month's supply, or a proportional copayment for another quantity, regardless of the amount or types of insulin needed. Applies to insurers and pharmacy benefits managers. Applies to contracts issued, renewed, or amended on or after October 1, 2023.

Requires the Department of Insurance (DOI) to study (1) the feasibility of further reducing the maximum copayment for insulin and (2) imposing a maximum copayment on the provision of diabetes-related equipment. Requires DOI to report its finding and recommendations to the specified NCGA committees and division by January 1, 2024.

Intro. by Mohammed, Chaudhuri, Adcock.

[STUDY, GS 58](#)

[View summary](#)

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

S 724 (2023-2024) [HOTEL SAFETY ISSUES RELATED MATTERS](#). Filed Apr 6 2023, *AN ACT TO FURTHER DEFINE "TRANSIENT OCCUPANCY" AND TO DETERMINE WHEN IT CONVERTS, IF AT ALL, TO A TENANCY GOVERNED BY CHAPTER 42 OF THE GENERAL STATUTES*.

Amends GS 72-1 as amended by SL 2023-5 (defining transient occupancies as the rental of certain accommodations for less than 90 days) to clarify that the 90-day period begins on the first day of the transient occupancy and ends on the ninetieth day. Specifies that a guest may not attempt to restart the 90-day period by changing rooms within the same property. Terminates the transient occupancy on the last day of the 90-day period and requires the guest to vacate. If the guest does not vacate, permits the innkeeper to have law enforcement remove the guest for trespassing. Permits the innkeeper and guest to enter into a lease agreement for a period of time beyond the 90-day period. Specifies that the lease agreement, including any provisions regarding security deposits or recovery of possessions, will be governed by GS Chapter 42, pertaining to Landlord Tenant agreements.

Intro. by Moffitt.

[GS 72](#)

S 729 (2023-2024) **CBBC WORKING GROUP CHANGES**. Filed Apr 6 2023, *AN ACT TO AMEND THE ANTI-PENSION SPIKING CONTRIBUTION-BASED BENEFIT CAP LAW FOR SCHOOL SYSTEMS AS BROUGHT FORWARD BY THE WORKING GROUP ESTABLISHED BY S.L. 2021-72 AND TO PROVIDE ADDITIONAL TOOLS TO RESOLVE DISPUTED APPLICATIONS OF THE ANTI-PENSION SPIKING LAWS*

Amends GS 135-8(f)(2), pertaining to collection of employer contributions as part of the method of financing the Retirement System for Teachers and State Employees (TSERS), as follows. Specifies that a public school unit is not required to pay an additional contribution calculated under GS 135-4(jj) (contribution-based cap purchase provision) for the retirement of a public school employee if, within 12 months of the assessment, the public school unit certifies, on a form approved by the Board of Trustees, to all of the following: (1) the retiree's service, during the period used to compute the retiree's average final compensation, was in a position or positions where State law or regulation mandates the specific dollar amount that must be paid from State funds to an employee in that position or positions or the retiree served a minimum of 12 years in a position for which State law or regulation mandates a specific dollar amount that must be paid from State funds to an employee in that position or positions; and (2) the greatest local supplement amount paid to the retiree for a school year during the period used to calculate the employee's average final compensation did not exceed 20% of the salary. Provides for proportional adjustment if prong 1 applies but not prong 2, and specifies how that calculation should be made. Effective July 1, 2023.

Authorizes the Department of the State Treasurer to resolve any legal actions currently pending against the State regarding the anti-pension spiking contribution-based benefit cap (established in GS 135-5(a3)), with respect to the amount and terms of payment, within the framework established by GS 135-8(f)(2). Specifies that any additional contributions owed by a school board and for which the Retirement System sent notice during the litigation pause established by SL 2021-72 will be calculated under GS 135-8(f)(2). Specifies that the employer contribution rate pertaining to those additional contributions will not be adjusted before the fiscal year beginning with July 1, 2024. Prohibits the Retirement System, before September 1, 2023, from requesting an interception of State appropriations for unpaid contributions attributable to retirements that occurred between July 1, 2021, and June 30, 2023.

Amends GS 135-6 (TSERS administration) to authorize the Treasurer to designate legal counsel, including private counsel, to represent the interests of the administration of benefit programs under GS Chapter 135. Effective July 1, 2023.

Intro. by Burgin, Krawiec, Ford.

GS 135

S 732 (2023-2024) **EXPAND DAY/EMPLOYMENT OPTIONS/IDD**. Filed Apr 6 2023, *AN ACT TO EXPAND MEANINGFUL DAY AND EMPLOYMENT SERVICES OPTIONS FOR MEDICAID BENEFICIARIES WITH INTELLECTUAL DISABILITIES*.

Identical to [H 580](#), filed 4/5/23.

Directs the Department of Health and Human Services, Division of Health Benefits (DHB) to create a new Medicaid in-lieu-of-service, Community Activities and Employment Transitions (CAET) program for adults with intellectual disabilities. Establishes guidelines for DHB to follow when developing the CAET program. Requires DHB to coordinate with relevant stakeholders to develop the CAET program. Authorizes DHB to submit any Sate Plan amendments or waivers, or request other approval from the Centers for Medicare and Medicaid Services, and specifies that coverage of the new service may not begin earlier than January 1, 2024.

Requires DHB to submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice providing specified information on the development of the CAET program and legislative changes necessary for implementation.

Appropriates \$4.5 million in recurring funds for 2023-24 and \$9 million in recurring funds for 2024-25 to DHB from the General Fund for implementation of the CAET services. These funds are a match for federal recurring funds of \$8.7 million for

2023-24, and \$17.4 million for 2024-25, and those federal funds are also appropriated to DHB for the same purpose. The appropriations are effective July 1, 2023.

Intro. by Burgin.

[View summary](#)

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

S 739 (2023-2024) **DEFINING ANTI-SEMITISM IN NORTH CAROLINA**. Filed Apr 6 2023, *AN ACT DEFINING ANTI-SEMITISM FOR PURPOSES OF INVESTIGATING AND DETERMINING WHETHER THERE HAS BEEN A VIOLATION OF STATE LAW OR POLICY PROHIBITING DISCRIMINATORY ACTS OR PRACTICES ON THE BASIS OF RACE, ETHNICITY, NATIONAL ORIGIN, OR RELIGIOUS AFFILIATION*.

Adds new Article 62, Anti-Semitism Defined for Criminal Investigations, in GS Chapter 14, providing as follows. Enacts GS 14-465 (pertaining to the standard for determining anti-Semitic discrimination), which requires law enforcement, a court, or other relevant authority, in determining whether a person charged with a crime was motivated to commit the crime by the victim's race, ethnic origin, or religious affiliation, to take into consideration (1) the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, and incorporated into federal Executive Order 13899, 84 Federal Register 68779 and (2) the "Contemporary Examples of Anti-Semitism" identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory antisemitic intent. As the act incorporates these provisions of the IHRA into other antidiscrimination provisions of State law, this summary will refer to these provisions as the "IHRA Provisions." Effective December 1, 2023, and applies to offenses committed on or after that date.

Enacts new GS 143-422.4 (pertaining to State Equal Employment Practices), enacts new GS 41A-5.5 (pertaining to housing), amends GS 95-151 (pertaining to employment discrimination) and amends GS 99D-1 (interference with civil rights) to direct a court or other relevant authority to take into consideration the IHRA Provisions in determining whether a person alleging antisemitic bias in these matters has been illegally discriminated against on the basis of race, ethnic origin, or religious affiliation.

Amends GS 126-16.1 to require Equal Employment Opportunity training for supervisors or managers in state agencies, departments, institutions, and UNC to also include training on anti-Semitic bias as unlawful discrimination using the IHRA Provisions.

Sets forth rules of construction pertaining to free speech protections under the federal and State constitutions and federal, state, and local antidiscrimination law. Contains severability clause.

Effective October 1, 2023, and applies to claims arising on and after that date.

Intro. by Hanig.

GS 14, GS 41A, GS 99D, GS 126

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal
Law and Procedure, Development, Land Use and Housing,
Property and Housing, Employment and Retirement**

H 438 (2023-2024) [FRANKLIN/GRANVILLE RECOGNIZED COMMON BOUNDARY](#). Filed Mar 22 2023, *AN ACT TO ESTABLISH THE COMMON BOUNDARY BETWEEN FRANKLIN AND GRANVILLE COUNTIES*.

House amendment to the 1st edition deletes the content of the act and replaces it with the following.

Requires the legal boundary line between Franklin and Granville counties to be as depicted by the Census Redistricting Data PL 94-171 TIGER/Line Shapefiles associated with the 2020 census, which is consistent with the boundary line used by the counties and reflected in the counties geographic information systems maps. Makes conforming changes to the act's long title.

Intro. by Winslow.

[UNCODIFIED, Franklin, Granville](#)

[View summary](#)

[Government, General Assembly](#)

LOCAL/SENATE BILLS

S 619 (2023-2024) [FLEXIBILITY IN FILLING VACANCIES/DURHAM](#). Filed Apr 5 2023, *AN ACT TO PROVIDE FLEXIBILITY IN FILLING VACANCIES ON THE CITY COUNCIL IN THE CITY OF DURHAM*.

Amends Sections 13.2 and 13.3 of the Charter of the City of Durham, SL 1975-671, as amended. Authorizes the City Council to appoint a qualified person to fill a vacancy occurring in the office of Mayor or a member of City Council within 120 days of the vacancy (currently, 60 days). Makes technical and conforming changes.

Intro. by Murdock, Woodard.

[Durham](#)

[View summary](#)

[Government, Local Government](#)

ACTIONS ON BILLS

PUBLIC BILLS

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

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

H 259: [2023 APPROPRIATIONS ACT.](#)

House: Amend Failed A23

House: Amend Adopted A24

House: Amend Adopted A25

House: Amend Adopted A26

House: Amend Adopted A27

House: Passed 3rd Reading

House: Ordered Engrossed

H 364: [2023 UNC SELF-LIQUIDATING CAPITAL PROJECTS.](#)

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 570: [EFFICIENT GOVERNMENT BUILDINGS & SAVINGS ACT.](#)

House: Passed 1st Reading

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

H 571: DISCHARGE OF HIGHLY TREATED WASTEWATER.

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Rules, Calendar, and Operations of the House

H 572: STATE INFRASTRUCTURE BANK STUDY.

House: Passed 1st Reading

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

H 573: FAIR MEDICAID ASC REIMBURSEMENTS.

House: Passed 1st Reading

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

H 574: FAIRNESS IN WOMEN'S SPORTS ACT.

House: Passed 1st Reading

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

H 575: MODIFY PROVISIONS AFFECTING ADULT CORRECTION.

House: Passed 1st Reading

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

H 576: HEALTH CARE PRACTITIONER TRANSPARENCY ACT.

House: Passed 1st Reading

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

H 577: STUDY/EMERGENCY INFO ON DMV APPLICATIONS.

House: Passed 1st Reading

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

H 578: INCENTIVIZE SPACE SPIRITS.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

H 583: SUPPORT/EXPAND WORKFORCE IDD OPTIONS.

House: Filed

H 584: MOBILE HOME PARK ACT.

House: Filed

H 585: SCHOOL PSYCHOLOGIST OMNIBUS.

House: Filed

H 586: NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION.

House: Filed

H 587: NC GENETIC COUNSELORS WORKFORCE ACT.

House: Filed

H 588: UNIFORM PARTITION OF HEIRS PROPERTY ACT.

House: Filed

H 589: PROTECT WHISTLEBLOWER LEOS FROM RETALIATION.

House: Filed

H 590: INCREASE PUNISHMENT FOR CARGO THEFT.

House: Filed

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

House: Passed 1st Reading

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

S 80: STATE AUDITOR DISCLOSURE AND DISCOVERY ACT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 171: DEPARTMENT OF PUBLIC SAFETY AGENCY BILL.-AB

Senate: Withdrawn From Com

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

S 228: PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.

House: Passed 1st Reading

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

S 282: VETERINARY MEDICAL BOARD INSPECTIONS.

House: Passed 1st Reading

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

S 303: STRENGTHEN JUVENILE LAWS.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 327: GSC ASSIGNMENTS OF ERROR.

House: Passed 1st Reading

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

S 331: CONSUMER FINANCE ACT AMENDMENTS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 340: EXPAND PROB. OFFICER/SHERIFF AUTHORITY.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 342: ATV AND UTV TITLING/MOD. UTV REVISIONS.

Senate: Withdrawn From Com

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

S 345: ALARM SYSTEMS LICENSING ACT MODERNIZATION.

Senate: Withdrawn From Com

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

S 376: EXPANDING MEMBERS' ACCESS TO HOA RECORDS.

Senate: Withdrawn From Com

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

S 389: RAISE THE AGE FOR DONATING BLOOD.

Senate: Withdrawn From Com

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

S 409: INCREASE PUNISHMENT FOR CARGO THEFT.

Senate: Withdrawn From Com

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

S 445: RECORDING OF COURT-FILED DOCUMENTS.

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: Amend Adopted A1

Senate: Amend Tabled A2

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 595: PRIMARY CARE PAYMENT REFORM TASK FORCE.

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 596: FUNDS FOR GENESIS PROJECT.

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 597: PHARMACISTS/COLLABORATIVE PRACTICE.

Senate: Passed 1st Reading

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

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

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 599: MULTICAMPUS CENTER RECOGNITION.

Senate: Passed 1st Reading

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

S 600: ESTABLISHING PATERNITY REVISIONS.

Senate: Passed 1st Reading

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

S 601: FIRST RESPONDERS MENTAL HEALTH CARE PLAN.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

S 603: CONFIDENTIALITY OF ANIMAL SERVICES RECORDS.

Senate: Passed 1st Reading

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

S 604: MOTORCYCLE ROAD GUARD CERTIFICATION.

Senate: Passed 1st Reading

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

S 605: NO FORCED MICROCHIP IMPLANTS FOR EMPLOYEES.

Senate: Passed 1st Reading

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

S 606: REDUCED SIZE PLATES/MODIFIED UTILITY VEHICLES.

Senate: Passed 1st Reading

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

S 607: TEMPORARY SOLUTIONS PROGRAM CHANGES.

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 Rules and Operations of the Senate

S 608: PROPERTY TAX MODIFICATIONS.

Senate: Passed 1st Reading

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

S 609: NC SEMIQUINCENTENNIAL LEGISLATIVE COMMISSION.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

S 611: FUNDS FOR GENESIS PROJECT.

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 612: FUNDS FOR SECOND WARD MUSEUM.

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 613: SEDIMENTATION BUFFER FOR TROUT WATERS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

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

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 615: ADOPTION LAW CHANGES.

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 616: ENVIRONMENTAL HEALTH ASSOCIATES.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 617: ATV SAFETY COURSE WARNING LABEL EXCEPTION.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 618: TAS TO TEACHERS.

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 620: SOCIAL MEDIA ACCOUNTABILITY ACT.

Senate: Passed 1st Reading

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

S 621: MODIFY PUBLIC-INITIATED CRIMINAL PROCESSES.

Senate: Passed 1st Reading

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

S 622: CONSUMER PROTECTIONS AGAINST STORM CHASERS.

Senate: Passed 1st Reading

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

S 623: TRANSPARENT ELECTRIC TRANSFERS.

Senate: Passed 1st Reading

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

S 624: HEALTH CARE PRACTITIONER TRANSPARENCY ACT.

Senate: Passed 1st Reading

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

S 625: CHILD WELFARE, SAFETY AND PERMANENCY REFORMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 626: MODIFY LAWS RELATING TO HUMAN TRAFFICKING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 627: CATTLEMEN'S ASSOCIATIONS TAX EXCLUSION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 628: ARTICLE V CONVENTION OF THE STATES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 629: DRIVER IMPROVEMENT CLINICS/MOTORCYCLES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 630: CONSTITUTIONAL AMENDMENT/CITIZENS-ONLY VOTING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 631: FAIRNESS IN WOMEN'S SPORTS ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 632: I-95 TOLL PROHIBITION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 633: MOBILE HOME PARK ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 634: CAP CHARTER SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 635: ORPHAN ROADS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 636: SCHOOL ATHLETIC TRANSPARENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 637: STIP GRANT ANTICIPATION NOTES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 638: MOVE OVER FOR DISABLED VEHICLES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 639: YOUTH HEALTH PROTECTION ACT.

Senate: Passed 1st Reading

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

S 640: VARIOUS CRIMINAL PROCEDURE CHANGES.

Senate: Passed 1st Reading

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

S 641: MEDICAL ETHICS DEFENSE (MED) ACT.

Senate: Passed 1st Reading

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

S 642: INDEPENDENT REDISTRICTING COMMISSION.

Senate: Passed 1st Reading

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

S 643: TRANSPORTATION FOR THE FUTURE ACT.

Senate: Passed 1st Reading

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

S 644: NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION.

Senate: Passed 1st Reading

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

S 645: ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP.

Senate: Passed 1st Reading

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

S 646: COASTAL FUNDING AND POLICY PRIORITIES.

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 647: STATE BAR DUES/NCGA STAFF CLES.

Senate: Passed 1st Reading

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

S 648: PROTECT CRITICAL INFRASTRUCTURE II.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

S 650: GUN VIOLENCE PREVENTION ACT.

Senate: Passed 1st Reading

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

S 651: TAX RELIEF FOR ALL.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 652: INVESTING IN NORTH CAROLINA ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 653: ACCESS TO SPORTS AND EXTRACURRICULARS FOR ALL.

Senate: Passed 1st Reading

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

S 654: REVISE ANIMAL FIGHTING LAWS.

Senate: Passed 1st Reading

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

S 655: UPDATE STRUCTURED SETTLEMENT PROTECTION ACT.

Senate: Filed

S 656: FOSTER BH IDD TAILORED PLAN COMPETITION.

Senate: Filed

S 657: LME/MCO TRANSPARENCY AND ACCOUNTABILITY.

Senate: Filed

S 658: WATER SAFETY ACT OF 2023.

Senate: Filed

S 659: OPTOMETRY PRACTICE MODS.

Senate: Filed

S 660: INCREASE ACCESS TO MEDICAID HCWD PROGRAM.

Senate: Filed

S 661: HEALTH BENEFIT PLANS/MENTAL HEALTH PARITY.

Senate: Filed

S 662: FUNDS FOR ADAPTIVE EXERCISE EQUIPMENT.

Senate: Filed

S 663: EXPEDITE MILITARY TRAINED/SPOUSE LIC./ATTYS.

Senate: Filed

S 664: SUPPORT/EXPAND WORKFORCE IDD OPTIONS.

Senate: Filed

S 665: ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP.

Senate: Filed

S 666: RAFFLES/INCREASE REAL ESTATE PRIZE LIMIT.

Senate: Filed

S 667: REGULATION OF SHORT-TERM RENTALS.

Senate: Filed

S 668: GAMING COMMISSION.

Senate: Filed

S 669: SOLAR DECOMMISSIONING RQMTS.

Senate: Filed

S 670: CREATE NEW WEIGHTED STUDENT FUNDING MODEL.

Senate: Filed

S 671: BIFURCATE ECONOMIC DISTRESS CATEGORIZATION.

Senate: Filed

S 672: STATE SURPLUS PROPERTY/THIRD-PARTY AUCTIONS.

Senate: Filed

S 673: WATER AND WASTEWATER REGULATORY RELIEF ACT.

Senate: Filed

S 674: BABY BOND TRUST FUND.

Senate: Filed

S 675: LAND USE CLARIFICATION AND CHANGES.

Senate: Filed

S 676: RESTRICTED DL FOR UNDOCUMENTED IMMIGRANTS.

Senate: Filed

S 677: RIGHT OF ENTRY/LIMITED LIC/SURVEYORS.

Senate: Filed

S 678: PROMOTE CLEAN ENERGY.

Senate: Filed

S 679: NC PUBLIC FINANCE PROTECTION ACT.

Senate: Filed

S 680: REVISE HIGHER ED ACCREDITATION PROCESSES.

Senate: Filed

S 681: POLLUTER PAYS.

Senate: Filed

S 682: PROTECT CHILDREN FROM LEAKING GARBAGE TRUCKS.

Senate: Filed

S 683: EXPANDING WORKFORCE AND EDUCATION ACT.

Senate: Filed

S 684: STORMWATER PROGRAM REVISIONS.

Senate: Filed

S 685: FUNDS FOR ORPHAN ROADS IN MECKLENBURG CO.

Senate: Filed

S 686: REGULATORY REFORM ACT OF 2023.

Senate: Filed

S 687: IGNITING FUTURES IN TECHNOLOGY.

Senate: Filed

S 688: CHILD CARE ACT.

Senate: Filed

S 689: UI WORK SHARING/SHORT-TIME COMP.

Senate: Filed

S 690: SUPPORT OUR DIRECT CARE WORKFORCE.

Senate: Filed

S 691: RADON TECHNICIAN CERTIFICATION.

Senate: Filed

S 692: COMMUNITY COLLEGE GOVERNANCE.

Senate: Filed

S 693: ADMINISTRATIVE PROCEDURE ACT AMENDMENTS.

Senate: Filed

S 694: FUNDS FOR READY FOR SCHOOL, READY FOR LIFE.

Senate: Filed

S 695: REENACT CHILD CARE TAX CREDIT.

Senate: Filed

S 696: LOCAL OPTION SALES TAX FLEXIBILITY.

Senate: Filed

S 697: SAVE THE STATE'S COASTAL RESOURCES.

Senate: Filed

S 698: EXPAND ACADEMIC TRANS. PATHWAYS/SOPHOMORE HS.

Senate: Filed

S 699: GUILFORD COUNTY FUNDING.

Senate: Filed

S 700: 2023 UNEMPLOYMENT INSURANCE REFORM.

Senate: Filed

S 701: NC A&T RESEARCH LABS/FUNDS.

Senate: Filed

S 702: FUNDS FOR GTCC FAME PARTNERSHIP.

Senate: Filed

S 703: AMEND 1-YR SEP/REPEAL ALIEN. OF AFF/CRIM. CON.

Senate: Filed

S 704: CITIZENS REVIEW BOARD.

Senate: Filed

S 705: EQUITY IN JUSTICE ACT OF 2023.

Senate: Filed

S 706: IN-STATE TUITION EQUITY.

Senate: Filed

S 707: ELIMINATE OFFSETS/DIPNC LTD.

Senate: Filed

S 708: SCHOOL MEALS FOR EVERY CHILD.

Senate: Filed

S 709: RETURNING CITIZENS READY TO WORK.

Senate: Filed

S 710: COMMUNITY SOLAR PROGRAM CHANGES.

Senate: Filed

S 711: FUEL GAS DETECTOR ACT.

Senate: Filed

S 712: CREATE BLDG. CODE PERMIT TECH. CERT.

Senate: Filed

S 713: BUILD SAFER COMMUNITIES AND SCHOOLS ACT.

Senate: Filed

S 714: AN ENERGY RESILIENT NC.

Senate: Filed

S 715: FUND DRUG TREATMENT/MENTAL HEALTH COURTS.

Senate: Filed

S 716: CAREGIVER TAX CREDIT.

Senate: Filed

S 717: AFFORDABLE ACCESS TO INSULIN ACT.

Senate: Filed

S 718: SOCIAL WORK INTERSTATE LICENSURE COMPACT.

Senate: Filed

S 719: REVISE ANIMAL CRUELTY LAWS.

Senate: Filed

S 720: REENACT EDUCATIONAL SALES TAX HOLIDAY.

Senate: Filed

S 721: UNIFORM WORKER CLASSIFICATION ACT.

Senate: Filed

S 722: CHILD CARE FLEXIBILITIES.

Senate: Filed

S 723: HENRY'S LAW.

Senate: Filed

S 724: HOTEL SAFETY ISSUES RELATED MATTERS.

Senate: Filed

S 725: DEFINITIONS FOR ADVANCED RECYCLING.

Senate: Filed

S 726: UP SHP PAY & AMP DEATH BENEFITS/DEATH PENALTY.

Senate: Filed

S 727: CFSS GUN PRSNT. FOR GRADE 7 AND 9 STUDENTS.

Senate: Filed

S 728: FIREFIGHTER PENSION INCREASE.

Senate: Filed

S 729: CBBC WORKING GROUP CHANGES.

Senate: Filed

S 730: OPT-OUT OF BAN ON FNS/TANF BENEFITS.

Senate: Filed

S 731: SHINE LIKE HAILEY PARADE SAFETY ACT.

Senate: Filed

S 732: EXPAND DAY/EMPLOYMENT OPTIONS/IDD.

Senate: Filed

S 733: IDENTITY THEFT PROTECTION ACT/CHANGES.

Senate: Filed

S 734: CONSTITUTION QUOTE AT SCHOOL ENTRANCES.

Senate: Filed

S 735: REDUCE PARENT COPAYS/SUBSIDIZED CHILD CARE.

Senate: Filed

S 736: EXPAND INCOME TAX ASSISTANCE IN NC.

Senate: Filed

S 737: ADDRESS ESG FACTORS.

Senate: Filed

S 738: TAX DEDUCTION FOR CERTAIN MORTGAGE INCOME.

Senate: Filed

S 739: DEFINING ANTI-SEMITISM IN NORTH CAROLINA.

Senate: Filed

S 740: FULLY FUND SCHOOL PSYCHOLOGISTS & AMP COUNSELORS.

Senate: Filed

S 741: TAX RELIEF ON ESSENTIALS FOR WORKING FAMILIES.

Senate: Filed

S 742: REVISE RULES/NC PRE-K LICENSURE CREDENTIALS.

Senate: Filed

S 743: TRANSFORMATIONAL INVESTMENTS IN NC HEALTH.

Senate: Filed

S 744: ENVIRONMENTAL PERMITTING REFORMS.

Senate: Filed

S 745: DOA/DOI AUTH. CLAR. FOR STATE-OWNED BUILD.

Senate: Filed

LOCAL BILLS

H 438: FRANKLIN/GRANVILLE RECOGNIZED COMMON BOUNDARY.

House: Amend Adopted A1

House: Amends Ruled Material

House: Withdrawn From Cal

House: Placed On Cal For 04/19/2023

S 265: INCREASE MUNICIPAL ELECTION PARTICIPATION ACT.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

S 619: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

Senate: Passed 1st Reading

Senate: Ref To 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

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