

## The Daily Bulletin: 2023-04-10

### PUBLIC/HOUSE BILLS

H 132 (2023-2024) [GOVT. AGENCIES/DELIVERY OF PERMITS](#). Filed Feb 15 2023, *AN ACT PROVIDING THAT STATE AND LOCAL GOVERNMENT AGENCIES WILL DELIVER PERMITS ISSUED TO PERMITTEES BY MAIL OR A DESIGNATED DELIVERY SERVICE INSTEAD OF IN-PERSON DELIVERY AT AN AGENCY OR OTHER PHYSICAL LOCATION UNLESS A PERMITTEE OPTS TO RECEIVE DELIVERY OF THE PERMIT IN PERSON.*

House committee substitute to the 1st edition makes the following changes. Amends the provisions of new GS 143-162.6 (State permits), GS 153A-461 (county agency permits), and GS 160A-499.6 (city agency permits) to allow delivery of physical copies of permits issued by State agencies and city and county agencies by US mail or a designated delivery service authorized pursuant to 26 USC 7502(f)(2) (IRS Code pertaining to mailings of filings). Makes conforming changes. Amends GS 153A-461 to clarify that it does not apply to any concealed handgun permits. Requires each executive branch agency, county agency, and city agency to adopt the policy required by GS 143-162.6, GS 153A-461, and GS 160A-499.6 by no later than July 1, 2023. Changes the effective date of the act to May 1, 2023. Makes conforming changes to act's long title.

**Intro. by Crutchfield, Bradford, Tyson.**

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

[View summary](#)

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

H 182 (2023-2024) [ESCHEAT FUND FEE WAIVER.-AB](#) Filed Feb 22 2023, *AN ACT TO WAIVE FEES FOR CERTAIN PROPERTIES HELD IN THE ESCHATE FUND, AS RECOMMENDED BY THE DEPARTMENT OF STATE TREASURER.*

House committee substitute to the 1st edition makes the following changes. Amends GS 7A-307 (pertaining to fee waivers for certain properties held in the escheat fund) to specify that fees can only be waived upon application of the affiant. (Was, just specified that fees were waived without any mention of application.) Amends the second finding required for a waiver to specify that the sole source of the assets of the estate is held in the Escheat Fund. (Previously just referred to the property being held in the Escheat Fund.)

**Intro. by Hardister, Rudow, Carson Smith.**

[GS 7A](#)

[View summary](#)

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

H 186 (2023-2024) [DIV. OF JUVENILE JUSTICE MODS.-AB](#) Filed Feb 22 2023, *AN ACT TO MODIFY THE SERVICE OF SUMMONS FOR JUVENILE PETITIONS, TO CLARIFY THE PROCESS FOR COURT-ORDERED EVALUATIONS FOR JUVENILES, TO MODIFY THE DISCLOSURE OF CERTAIN INFORMATION TO THE PUBLIC CONCERNING JUVENILES, TO CLARIFY MINORITY SENSITIVITY TRAINING FOR LAW ENFORCEMENT PERSONNEL, TO CLARIFY JUVENILE DETENTION TRANSFER, AND TO MAKE VARIOUS TECHNICAL AND CONFORMING CHANGES, AS RECOMMENDED BY THE DEPARTMENT OF PUBLIC SAFETY, 9 DIVISION OF JUVENILE JUSTICE.*

House committee substitute to the 2nd edition makes the following changes. Deletes proposed new GS 7B-1902.5, pertaining to alternatives to juvenile detention. Deletes proposed changes to GS 7B-1907, allowing for telephonic communication as required under new GS 7B-1902.5 when other means of communication are impractical. Amends the first required finding of new GS 7B-3103 (authorizing courts to order the Division or any law enforcement agency to release to the public specified information about a juvenile upon making three written findings in the order) to now specify that a court must find that a

petition has been filed alleging that the juvenile has committed at least one offense that would subject the juvenile to superior court pursuant to GS 7B-2200 or GS 7B-2200.5 (the finding requirement used to be that a petition has been filed alleging the juvenile has committed an offense that would be a Class A, B1, B2, or C felony if committed by an adult). Makes organizational changes. Makes conforming changes to the act's long title. Changes the effective date to specify that the act applies to offenses committed on or after December 1, 2023.

**Intro. by Davis, Pyrtle, Carson Smith, A. Jones.**

**GS 7B, GS 114, GS 153A**

[View summary](#)

**Courts/Judiciary, Juvenile Law, Delinquency, Government, State Agencies, Department of Public Safety, Local Government, Health and Human Services, Health**

H 387 (2023-2024) **MEDAL OF VALOR AWARD FOR FIRST RESPONDERS. (NEW)** Filed Mar 15 2023, *AN ACT TO CREATE THE MEDAL OF VALOR AWARD FOR FIRST RESPONDERS.*

House committee substitute to the 1<sup>st</sup> edition makes the following changes. Amends GS 147-12 (pertaining to the powers and duties of the Governor) and GS 143A-13 (pertaining to the office of the Lieutenant Governor) to authorize the Governor and Lieutenant Governor to award the Medal of Valor Award to a first responder or first responder unit that has performed great acts of heroism, while under threat of personal risk to their safety, beyond the call of duty in the field upon recommendation of the of the highest-ranking official or member of a first responder unit (was, highest ranking official within a department or agency employing first responders). Makes technical changes to permitted amounts awarded. Changes act's short title.

**Intro. by Miller.**

**GS 143A, GS 147**

[View summary](#)

**Government, Public Safety and Emergency Management, State Government, Executive**

H 579 (2023-2024) **AMEND CERTAIN DEQ/EPA AGREEMENTS/PROCEEDINGS.** Filed Apr 5 2023, *AN ACT TO AMEND SEDIMENTATION CONTROL PERMITTING REQUIREMENTS, TO ESTABLISH NEW REQUIREMENTS FOR MEMORANDUMS OF AGREEMENT BETWEEN THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, TO REQUIRE GENERAL ASSEMBLY APPROVAL FOR RULEMAKING TO INCORPORATE BY REFERENCE FEDERAL ENVIRONMENTAL REGULATIONS, TO REVISE APPOINTMENTS TO THE SEDIMENTATION CONTROL COMMISSION, TO ESTABLISH THE ENVIRONMENTAL POLICY COUNCIL, AND TO MAKE OTHER CHANGES TO THE ADMINISTRATION OF ENVIRONMENTAL PROGRAMS IN NORTH CAROLINA.*

#### Section 1

Amends GS 113A-57 by amending the requirements for undertaking land-disturbing activity, as follows. Amends the requirement applicable when the activity will disturb more than one acre that erosion and sedimentation control devices and practices be installed that retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction and development and that a permanent ground cover be provided or planned to restrain erosion after completion of construction or development, by adding that requirements for ground cover necessary to terminate coverage under an erosion and sedimentation control plan must not exceed the requirements for final vegetative or non-vegetative stabilization set forth in Part 2.2.14c. of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) for Stormwater Discharges from Construction Activities issued by the US EPA. Adds that persons initiating land-disturbing activity who must obtain coverage under NPDES General Permit No. NCG01000 (NCG01), the requirements of subdivision (4) of this section (prohibiting initiating any land-disturbing activity that will disturb more than one acre on a tract unless, 30 or more days prior, an erosion and sedimentation control plan has been filed with the agency and been approved) are satisfied by application for and receipt of the NCG01. Provides that no additional or different requirements can be imposed for the submission or approval of an erosion and sedimentation control plan beyond that required for the NCG01 permit, whether such permit is issued by the Department of Environmental Quality (Department) or by a local government.

Requires that North Carolina Sedimentation Control Commission (Commission) to adopt temporary rules to implement the ground cover requirements established in GS 113A-57, above, to remain in effect until permanent rules that replace the temporary rules become effective.

## Section 2

Amends GS 113A-54 to require the Commission's rules for the control of erosion and sedimentation resulting from land-disturbing activities, to also include standards, policies, and procedures for permitting of grading to be adopted by any local government operating an approved erosion and sedimentation control program within its jurisdiction. Prohibits requiring a separate permit for grading when grading is to be conducted as part of land-disturbing activity required to obtain coverage under NPDES General Permit No. NCG01000 (NCG01) or have an approved erosion and sedimentation control plan. Prohibits charging a permit fee when a grading permit is required as part of land-disturbing activity not required to obtain coverage under the NCG01 or have an approved erosion and sedimentation control plan pursuant to the requirements of the Sedimentation Pollution Control Act of 1973.

Requires the Commission to adopt temporary rules to implement these new requirements no later than 60 days after the act becomes law. Temporary rules remain in effect until permanent rules that replace the temporary rules become effective.

Requires a local government operating an approved erosion and sedimentation control program within its jurisdiction on the date this act becomes law, by October 1, 2023, submit to the Commission for its approval standards, policies, and procedures for permitting of grading to be adopted by the local government and incorporated into its erosion and sedimentation control program for its jurisdiction. Provides that all grading permit standards, policies, and procedures of those local governments that are in effect when this act becomes law will remain in effect until December 31, 2023, but be void and unenforceable after that, until the Commission has approved new or revised standards, policies, and procedures for permitting of grading to be adopted by the local government and incorporated into the erosion and sedimentation control program for its jurisdiction in compliance with rules adopted by the Commission. Specifies that when a local government has issued a grading permit for a multiyear project, however, that permit will remain in effect until the termination of the project, and modifications to the permit that would result in additional cost to the permittee are prohibited.

## Section 3

Amends GS 113A-60, concerning local erosion and sedimentation control programs, as follows. Limits the requirements of an approved local sedimentation control program to meeting, not exceeding, the requirements for stormwater discharges from construction activities under the 2022 Clean Water Act NPDES general permit for stormwater discharges from construction activities, as specified.

Also amends the statute to require an approved local program to issue an NPDES General Permit No. 15 NCG01000 (NCG01) to persons initiating land-disturbing activity in their jurisdictions that are required to obtain coverage under the NCG01, instead of a land disturbance permit or other permit or certification, issued for purposes of compliance with the Sedimentation Pollution Control Act of 1973 and rules adopted thereunder. Caps the fee a local program may charge for issuance of an NCG01 at \$200 and prohibits charging other fees. Allows half of the fee to stay with the local program while the other half goes to the Department. Limits the Commission to approving local erosion and sedimentation control programs that meet, not exceed, the standards of the Sedimentation Pollution Control Act of 1973 and rules adopted thereunder. Effective upon the date the temporary rules required below become effective and applies to applications for permits for land-disturbing activities submitted on or after that date.

Requires a local government operating an approved erosion and sedimentation control program within its jurisdiction on the date this act becomes law that wants to continue the program to submit a revised program to the Commission by October 1, 2023, for its approval and allows adoption of ordinances and regulations necessary to meet, but not exceed, the requirements for stormwater discharges from construction activities under the 2022 Clean Water Act NPDES general permit for stormwater discharges from construction activities, as specifies. Sets out the process for the review and approval of the revised programs. Provides that after the effective date of this act, a local government is deemed only to have approval to administer a limited erosion and sedimentation control program for its jurisdiction that gives the local government responsibility only for the assessment and collection of fees and for the inspection of land-disturbing activities until: (1) the Commission has approved a revised program and (2) the Commission or Department, as applicable, has established processes to enable local governments to issue NCG01 instead of a land disturbance permit or other permit or certification issued for purposes of compliance with the Sedimentation Pollution Control Act of 1973.

Requires the Commission to adopt temporary rules, no later than 60 days after this act becomes law, to require approved local programs to issue NCG01 to persons initiating land-disturbing activity in their jurisdictions that are required to obtain coverage under the NCG01 instead of a land disturbance permit or other permit or certification issued for purposes of compliance with the Sedimentation Pollution Control Act of 1973. Makes the temporary rules effective until permanent rules that replace the temporary rules become effective.

#### Section 4

Enacts new GS 143B-279.4A requiring NCGA approval of memorandums of agreement between the US EPA and the Department, the Environmental Management Commission, the Coastal Resources Commission, the Sedimentation Control Commission, and any other board or commission charged with implementation of State or federal environmental law. Prohibits implementing of the terms of such agreements with NCGA confirmation. Provides that if the EPA withdraws the State's authority to administer the Clean Water Act, then the NCGA directs the Department to continue administration of the terms of the most recent version of any applicable memorandum of agreement executed between the State and EPA that governs the State's administration of that program and to continue to timely issue any permits associated with the program if the NCGA determines via resolution that the EPA does not have funding or personnel to effectively administer the program's requirements, and that the EPA's assumption of the program's requirements would cause serious economic hardships. Requires the Department to continue administering the program under the terms of the most recent version of any applicable memorandum of agreement until a new agreement has been approved by the NCGA, subsequently executed by the Department. Prohibits state agencies from incorporating by reference any federal law or regulation for the protection of the environment or natural resources until the NCGA enacts legislation to specifically approve adoption of the rule; sets out the process for approval. Gives the Department the right to define vague, ambiguous, or undefined terms included in any memorandum of agreement with the EPA or federal environmental law as issues arise resulting from application of those terms. Requires the Department to report quarterly to the Environmental Policy Council to identify all changes to federal law or regulations enacted or proposed that would impact the administration of environmental regulatory programs in North Carolina. Requires the first report to be submitted October 1, 2023.

#### Section 5

Amends the membership of the Sedimentation Control Commission by removing the current membership provisions and provisions concerning term limits, filling vacancies, and removal of members and replaces them with the following. Requires membership to include (1) five members appointed by the Governor and subject to confirmation by the Senate, as recommended jointly by the boards of the NC League of Municipalities and NC Association of County Commissioners, by the Carolinas Branch of the Associated General Contractors of America specializing in commercial site development, by the Professional Engineers of NC, Inc, that is a registered professional engineer specializing in stormwater and erosion control and design, and members of the State Soil and Water Conservation Commission and NC Mining Commission; (2) three members appointed by the NCGA upon recommendation of the Speaker of the House with one member recommended by the Board of the NC Home Builders Association, one contractor specializing in coastal construction, and one licensed soil scientist; (3) three members appointed by the NCGA upon recommendation by the President Pro Tempore of the Senate, with one member recommended by the Board of the NC Home Builders Association specializing in residential site development, one design professional specializing in site development in the piedmont area and one specializing in the highland/mountain area; and (4) the director of the NC Water Resources Research Institute, ex officio and nonvoting. Sets out the process for the Governor to submit appointments. Sets terms of office at four years and prohibits reappointment to more than two consecutive terms. Sets out staggered terms. Sets out the process for filling vacancies depending on the appointing authority. Allows the Governor to remove members for misfeasance, malfeasance, or nonfeasance. Gives members per diem and traveling and subsistence expenses in accordance with GS 138-5. Sets out provisions governing quorum and staffing. Allows membership to be concurrent with other elective or appointive offices.

#### Section 6

Adds news Article 37 to GS Chapter 20, establishing the 17-member Environmental Policy Council, with members appointed by the Governor and NCGA with the specified qualifications, as well as three specified members. Sets membership terms at two years. Requires the Council to review: (1) the efficacy of State and local programs regulating environmental and natural resource matters in North Carolina, and costs associated with those programs; (2) current federal laws and regulations for the protection of the environment or natural resources, and how those requirements are implemented by State and local entities; and (3) proposed changes to federal laws and regulations for the protection of the environment or natural resources, and

potential impacts from those changes. Also requires the Council to make recommendations for legislative action on a continuing basis on any of those, and specifically legislative action to approve or disapprove the authority of any State agency, board, or commission to adopt rules that incorporate proposed changes to federal laws and regulations for the protection of the environment or natural resources by reference. Sets out provisions governing subsistence and travel expenses, meetings, quorum, election of a chairperson, and staffing.

#### Section 7

Requires the Department, by July 1, 2023, to notify the EPA of its intent to initiate discussions to revise the NPDES Memorandum of Agreement between the State and US EPA Region 4, and any other agreement with EPA governing the State's Sedimentation Pollution Control Act of 1973 (Act), and its implementation of NCG01 to streamline the regulatory requirements of the Act and NCG01 for the purpose of eliminating program redundancies to minimize (1) unnecessary costs to, and duplication of efforts by, persons initiating land-disturbing activities; (2) unnecessary delays in project development, and (3) inefficient use of Department personnel and staff of local governments that administer delegated erosion and sedimentation control programs. Requires the Department to report quarterly to the Environmental Policy Council on the status of these activities beginning August 1, 2024, until this reporting requirement is repealed.

#### Section 8

Requires the Department, by July 1, 2023, to request that the EPA consult with the Department on any proposed changes to federal regulations that would impact the State's administration of federal environmental programs in North Carolina, before the EPA notices the proposed changes in the Federal Register, so that the State can have meaningful collaborative input on development of regulations that it may be charged with administering. Requires the Department to report quarterly to the Environmental Policy Council on the status of these activities beginning August 1, 2024, until this reporting requirement is repealed.

#### Section 9

Requires the Department, by July 1, 2023, to submit copies of any agreements executed between the Department and the EPA governing the State's administration of programs under the Clean Water Act to the specified NCGA committee. Also requires the Department to give that committee information on any federal funds received by the State in connection with administration of such programs, and all federal requirements for receipt of such funds as well as the adequacy of funding from all sources to fully implement the agreement requirements.

#### Section 10

Includes a severability clause.

**Intro. by Brody, Saine, Zenger, N. Jackson.**

[GS 113A](#), [GS 120](#), [GS 143B](#)

[View summary](#)

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

H 582 (2023-2024) [TRANSPORTATION FOR THE FUTURE ACT](#). Filed Apr 5 2023, *AN ACT TO MODERNIZE NORTH CAROLINA TRANSPORTATION SPENDING TO PUT TAXPAYER DOLLARS TO EFFECTIVE USE AND TO GIVE OUR COMMUNITIES THE TOOLS THEY NEED TO CREATE SAFE AND SUSTAINABLE MULTIMODAL TRANSPORTATION SYSTEMS FOR THE FUTURE*.

Identical to [S 643](#), filed 4/5/23.

Titles the act as the "Transportation for the Future Act."

Amends GS 136-189.10 by amending the definitions applicable to Article 14B, Strategic Prioritization Funding Plan for Transportation Investments. Amends the projects that meet the definition of division needs projects to include (1) bus rapid

transit (in addition to the already included commuter rail, intercity rail, and light rail) as a public transportation service and (2) bicycle and pedestrian improvements (no longer requiring federal funding). Also removes the specification that the provision including public transportation services as division needs projects does not authorize total State funding in excess of the maximum established elsewhere in the statute for commuter rail and light rail projects. Amends the projects that meet the definition of regional impact projects as follows: (1) includes rail lines (was, rail lines that span two or more counties not included as statewide strategic mobility projects and that specifically excluded short-line railroads); (2) includes public transportation services (was, public transportation services that span two or more counties and that serve more than one municipality with a cap on programmed funds of 10% of any distribution region allocation), adding that this also includes bus rapid transit (in addition to the already included commuter rail, intercity rail, and light rail); (3) removes the cap in the public transportation service on total state funding for a commuter rail or light rail project; and (4) includes bicycle and pedestrian improvements. Amends the projects that meet the definition of statewide strategic mobility projects to also include: (1) public transportation service that spans two or more counties or that serves more than one municipality, including bus rapid transit, commuter rail, intercity rail, and light rail and (2) bicycle and pedestrian improvements that span two or more counties or that serve more than one municipality. Makes conforming changes in GS 136-189.11.

Amends GS 136-189.11 concerning the Transportation Investment Strategy Formula (Formula) as follows. Excludes Federal Surface Transportation Program-Direct Attributable funds expended on eligible projects from the Formula; makes a conforming change by deleting the provision excluding those same funds in the Regional Impact Project category from that category.

Amends the distribution of funds subject to the Formula as follows. Adds that at least 20% of the funds must be distributed to non-highway projects. Decreases from 40% to 30% the amount of the funds that must be used for Statewide Strategic Mobility Projects. Increases from 30% to 40% the amount of the funds that must be used for Regional Impact Projects and allocated by population of Distribution Regions; also amends the criteria (a) for this funding to ranking projects involving projects (was, highway projects) that address cost-effective needs from a regional-wide perspective and promote economic growth and (b) that must be used for selecting Regional Impact Projects by removing congestion, pavement condition, lane width, and shoulder width, adding vehicle miles traveled reductions, environmental quality, and accessibility and connectivity to essential services. Amends the criteria for selection Division Need Projects so that selection is based 30% (was, 50%) on local input and 70% (was 50%) on consideration of the specified criteria; amends that criteria by removing congestion, pavement condition, lane width, and shoulder width and adding infrastructure condition, vehicle miles traveled reduction, environmental quality, and accessibility and connectivity to essential services. Also removes the requirement that funding from the specified programs be included in the computation of each of the Department division equal shares.

Removes the requirement that nonhighway projects be evaluated through a separate prioritization process; makes conforming changes. Removes the requirement to provide a written agreement establishing that all non-State funding necessary to construct the project has been committed before expending State funding for a light rail project.

Amends the allowable variance from the Formulas to require that the percentage amount obligated to Statewide Strategic Mobility Projects, Regional Impact Projects, and Division Need Projects not vary by more than 10% (was, 15%) over any five-year period and 5% (was, 10%) over any 10-year period from the percentage required to be allocated to each of those categories. Amends the allowable amount of the variation among the distribution regions or division to allow varying up to 10% (was, 15%) over any five-year period and 5% (was, 10%) over any 10-year period.

Amends the provisions governing incentives for local funding and highway tolling as follows. Amends the bonus allocation for a project with funding from toll revenue to no longer require the Metropolitan Planning Organization to apply the bonus within the counties where the toll project is located and removes the requirement to withhold or repay funds if a toll is removed or not implemented. Amends the categories to which the bonus allocation may be applied by removing the specified caps.

Repeals: (1) GS 153A-145.1 (which prohibited county ordinances on transportation impact mitigation) and (2) GS 160A-204 (which prohibited city ordinances on transportation impact mitigation).

Amends GS 160D-804 as follows. Expands upon what can be included in a subdivision regulation to also include the coordination of transportation networks and utilities within proposed subdivisions with existing or planned sidewalks, bicycle lanes, bus stops, transit infrastructure, and other transportation facilities instead of just streets and highways. Defines transportation facilities to include streets, sidewalks, bicycle lanes, bus stops, transit infrastructure, and other facilities designed to assist the movement of people or goods from one place to another. Makes conforming changes throughout the statute.

Amends GS 105-511.2 by amending the amount of the local sales tax from 1/4% to up to 1%. Removes the specified ballot language for the referendum on whether to levy the tax.

Amends GS 160D-702 to allowing a zoning regulation to include requirements that transportation facility (was, street) rights-of-way be dedicated to the public to the same extent and with the same limitations as provided for in the specified statutes.

Amends GS 160D-705 to allow conditions on special use permits to include requirements that transportation facility (was, street) rights-of-way be dedicated to the public and that provision be made for recreational space and facilities.

**Intro. by Alston, T. Brown, Butler, Buansi.**

[GS 105, GS 136, GS 153A, GS 160A, GS 160D](#)

[View summary](#)

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

H 596 (2023-2024) [HATE CRIMES PREVENTION ACT](#). Filed Apr 10 2023, *AN ACT TO INCREASE THE SCOPE AND PUNISHMENT OF HATE CRIMES; TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO CREATE AND MAINTAIN A HATE CRIMES STATISTICS DATABASE; TO REQUIRE THE NORTH CAROLINA JUSTICE ACADEMY TO DEVELOP AND PROVIDE LAW ENFORCEMENT OFFICERS WITH TRAINING ON IDENTIFYING, RESPONDING TO, AND REPORTING HATE CRIMES; AND TO REQUIRE THE CONFERENCE OF DISTRICT ATTORNEYS OF NORTH CAROLINA TO DEVELOP AND PROVIDE TRAINING TO PROSECUTORS ON HOW TO PROSECUTE HATE CRIMES.*

Part I.

Entitles this act “The Hate Crimes Prevention Act.”

Part II.

Amends GS 14-3 by expanding the categories under which a crime will be elevated to a higher level offense as a hate crime under subsection (c) to include crimes committed because of the victim’s ethnicity, gender, disability, or sexual orientation. Class 2 or Class 3 misdemeanors committed for these reasons will be elevated to a Class 1 misdemeanor. Class A1 or Class 1 misdemeanors committed for these reasons will be elevated to a Class H felony. Adds new subsection (d), permitting the victim of a hate crime as defined in subsection (c) or an immediate family member of the victim to obtain appropriate relief from the offender in a civil action in any court of competent jurisdiction, including actual damages, punitive damages, reasonable attorneys’ fees, and any other litigation costs reasonably incurred. Actual damages under this subsection includes damages for emotional distress. Makes conforming changes to the statute’s caption. Adds a new subsection (e), authorizing ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (c) to participate in a restorative justice session with the victim at the victim’s request, to be conducted as specified at the cost of the defendant.

Amends GS 14-401.14, changing the title from ethnic intimidation to Intimidation by hate crime; teaching any technique to be used in the commission of a hate crime. Expands the categories covering hate crime identical to the above changes to GS 14-3. Adds new subsection (c), allowing for the victim of a hate crime or their family to seek civil damages, identical to the above changes to GS 14-3. Adds new subsection (d), authorizing ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (a) to participate in a restorative justice session with the victim at the victim’s request, to be conducted as specified at the cost of the defendant. Includes gender-neutral pronoun change.

Amends GS 15A-1340.16(d)(17), expanding the definition of an aggravating factor identical to the above definition of hate crime.

Amends GS Chapter 14, Article 8, adding new GS 14-34.11, titled Felonious assault as a hate crime. Creates the crime felonious assault as a hate crime, defined as assaulting or attempting to assault a person and inflicting serious bodily injury because of the actual or perceived race, ethnicity, color, religion, nationality, country of origin, gender, disability, or sexual orientation of that person. Punishable as a Class F felony, elevated to a Class E felony if death results from the offense, or the offense includes the commission or attempted commission of kidnapping, first- or second-degree forcible rape, or first- or second-degree forcible sexual offense. Forbids introducing substantive evidence of expressions or associations of the accused at trial unless the evidence specifically relates to the crime charged under this statute. Permits the victim of a hate

crime or the victim's family to seek civil damages, identical to the above changes to GS 14-3. Authorizes ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (b) to participate in a restorative justice session with the victim at the victim's request, to be conducted as specified at the cost of the defendant.

This Part becomes effective December 1, 2023, and applies to offenses committed on or after that date.

#### Part III.

Amends GS Chapter 143B, Article 13, enacting new GS 143B-908, titled Hate crime statistics. Directs the State Bureau of Investigation (SBI) to collect, analyze, and disseminate information regarding the commission of offenses punishable under GS 14-3(c), 14-401.14, or 14.34.11. This information must include the total number of offenses committed for each type, identifying characteristics of the offender and victim from each offense, and the disposition of each offense. Requires all State and local law enforcement agencies to report monthly to the SBI on offenses committed in their jurisdictions that meet the criteria for a hate crime. Requires the SBI to report to the General Assembly on a yearly basis on the information gathered. The SBI must also publish this report on its website. Requires the SBI to share any information collected under this section upon request of any local law enforcement agency, unit of local government, or State agency. Effective January 1, 2024.

Directs the SBI to develop guidelines for the information on hate crimes required to be submitted by local law enforcement agencies. Requires the first report by the SBI to the General Assembly to be submitted by January 15, 2025.

Appropriates \$1.89 million in nonrecurring funds for the 2023-24 fiscal year from the General Fund to the SBI to cover any costs incurred in establishing the hate crime statistics database. Appropriates \$530,000 in recurring funds for the 2023-24 fiscal year from the General Fund to the SBI to hire an additional employee to manage the database.

Effective July 1, 2023.

#### Part IV.

Amends GS 17D-2(c), adding new subdivision (5), requiring the North Carolina Justice Academy to develop and provide training to law enforcement officers on how to identify, respond to, and report hate crimes.

Amends GS 17C-6(a) and GS 17E-4(a), requiring the minimum educational, training, in-service training, and continuing education standards for criminal justice officers and sheriffs established by the Training Standards Commission to include education and training on how to identify, respond to, and report a hate crime.

Effective July 1, 2023.

#### Part V.

Amends GS 7A-413 to add new subsection (c), requiring the Conference of District Attorneys to develop and provide training to prosecutors on prosecuting hate crimes.

Effective July 1, 2023.

#### Part VI.

Except as otherwise provided, this act is effective when it becomes law.

**Intro. by Majeed, Buansi, Cervania, Rudow.**

[APPROP, GS 7A, GS 14, GS 15A, GS 17C, GS 17D, GS 17E, GS 143B](#)

[View summary](#)

[Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Justice](#)



S 641 (2023-2024) [MEDICAL ETHICS DEFENSE \(MED\) ACT](#). Filed Apr 5 2023, *AN ACT TO PROTECT THE RIGHT OF CONSCIENCE OF MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS.*

Contains whereas clauses. Amends GS Chapter 90 by adding new Article 1M, the Medical Ethics Defense Act. Defines the following terms: *conscience, disclosure, discrimination, health care institution, health care payer, health care service, medical practitioner, participation in a health care service, and pay or payment.*

Specifies that it is unlawful for any person to discriminate against any medical practitioner, health care institution, or health care payer that refuses to participate in or pay for a health care service on the basis of conscience under Article 1M. Protects these persons from civil, criminal, or administrative liability for exercising their right of conscience not to participate in or pay for a health care service. Protects the health care institution that employs, contracts, or grants admitting privileges to these persons from any civil, criminal, or administrative liability arising from these persons exercising their right of conscience not to participate in or pay for a health care service.

Specifies that any medical practitioner, health care institution, or health care payer that holds itself out to the public as religious, states in its governing documents that it has a religious purpose or mission, and has internal operating policies or procedures that implement its religious beliefs has the right to make employment, staffing, contracting, and admitting privilege decisions consistent with its religious belief. Specifies that a health care practitioner may not be scheduled for, assigned, or requested to directly or indirectly perform, facilitate, refer for, or participate in an abortion unless the health care practitioner affirmatively consents in writing prior to performing, facilitating, referring, or participating in the abortion. Contains rules governing the construction of Article 1M. Provides for a civil remedy brought by any medical practitioner, health care institution, or health care payer for any violation of any provision of Article 1M. Provides for treble damages, attorneys' fees and costs, and injunctive relief. Bars a civil action from being brought against a person who declines to use or purchase health care services from a health care practitioner exercising the rights under Article 1M. Bars retaliation.

Contains severability clause.

Effective October 1, 2023.

**Intro. by Hise, B. Newton, Sanderson.**

**GS 90**

[View summary](#)

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

S 643 (2023-2024) [TRANSPORTATION FOR THE FUTURE ACT](#). Filed Apr 5 2023, *AN ACT TO MODERNIZE NORTH CAROLINA TRANSPORTATION SPENDING TO PUT TAXPAYER DOLLARS TO EFFECTIVE USE AND TO GIVE OUR COMMUNITIES THE TOOLS THEY NEED TO CREATE SAFE AND SUSTAINABLE MULTIMODAL TRANSPORTATION SYSTEMS FOR THE FUTURE.*

Titles the act as the "Transportation for the Future Act."

Amends GS 136-189.10 by amending the definitions applicable to Article 14B, Strategic Prioritization Funding Plan for Transportation Investments. Amends the projects that meet the definition of *division needs projects* to include (1) bus rapid transit (in addition to the already included commuter rail, intercity rail, and light rail) as a public transportation service and (2) bicycle and pedestrian improvements (no longer requiring federal funding). Also removes the specification that the provision including public transportation services as division needs projects does not authorize total State funding in excess of the maximum established elsewhere in the statute for commuter rail and light rail projects. Amends the projects that meet the definition of regional impact projects as follows: (1) includes rail lines (was, rail lines that span two or more counties not included as statewide strategic mobility projects and that specifically excluded short-line railroads); (2) includes public transportation services (was, public transportation services that span two or more counties and that serve more than one municipality with a cap on programmed funds of 10% of any distribution region allocation), adding that this also includes bus rapid transit (in addition to the already included commuter rail, intercity rail, and light rail); (3) removes the cap in the public transportation service on total state funding for a commuter rail or light rail project; and (4) includes bicycle and pedestrian improvements. Amends the projects that meet the definition of statewide strategic mobility projects to also include: (1) public transportation service that spans two or more counties or that serves more than one municipality, including bus rapid transit,

commuter rail, intercity rail, and light rail and (2) bicycle and pedestrian improvements that span two or more counties or that serve more than one municipality. Makes conforming changes in GS 136-189.11.

Amends GS 136-189.11 concerning the Transportation Investment Strategy Formula (Formula) as follows. Excludes Federal Surface Transportation Program-Direct Attributable funds expended on eligible projects from the Formula; makes a conforming change by deleting the provision excluding those same funds in the Regional Impact Project category from that category.

Amends the distribution of funds subject to the Formula as follows. Adds that at least 20% of the funds must be distributed to non-highway projects. Decreases from 40% to 30% the amount of the funds that must be used for Statewide Strategic Mobility Projects. Increases from 30% to 40% the amount of the funds that must be used for Regional Impact Projects and allocated by population of Distribution Regions; also amends the criteria (a) for this funding to ranking projects involving projects (was, highway projects) that address cost-effective needs from a regional-wide perspective and promote economic growth and (b) that must be used for selecting Regional Impact Projects by removing congestion, pavement condition, lane width, and shoulder width, adding vehicle miles traveled reductions, environmental quality, and accessibility and connectivity to essential services. Amends the criteria for selection Division Need Projects so that selection is based 30% (was, 50%) on local input and 70% (was 50%) on consideration of the specified criteria; amends that criteria by removing congestion, pavement condition, lane width, and shoulder width and adding infrastructure condition, vehicle miles traveled reduction, environmental quality, and accessibility and connectivity to essential services. Also removes the requirement that funding from the specified programs be included in the computation of each of the Department division equal shares.

Removes the requirement that nonhighway projects be evaluated through a separate prioritization process; makes conforming changes. Removes the requirement to provide a written agreement establishing that all non-State funding necessary to construct the project has been committed before expending State funding for a light rail project.

Amends the allowable variance from the Formulas to require that the percentage amount obligated to Statewide Strategic Mobility Projects, Regional Impact Projects, and Division Need Projects not vary by more than 10% (was, 15%) over any five-year period and 5% (was, 10%) over any 10-year period from the percentage required to be allocated to each of those categories. Amends the allowable amount of the variation among the distribution regions or division to allow varying up to 10% (was, 15%) over any five-year period and 5% (was, 10%) over any 10-year period.

Amends the provisions governing incentives for local funding and highway tolling as follows. Amends the bonus allocation for a project with funding from toll revenue to no longer require the Metropolitan Planning Organization to apply the bonus within the counties where the toll project is located and removes the requirement to withhold or repay funds if a toll is removed or not implemented. Amends the categories to which the bonus allocation may be applied by removing the specified caps.

Repeals: (1) GS 153A-145.1 (which prohibited county ordinances on transportation impact mitigation) and (2) GS 160A-204 (which prohibited city ordinances on transportation impact mitigation).

Amends GS 160D-804 as follows. Expands upon what can be included in a subdivision regulation to also include the coordination of transportation networks and utilities within proposed subdivisions with existing or planned sidewalks, bicycle lanes, bus stops, transit infrastructure, and other transportation facilities instead of just streets and highways. Defines transportation facilities to include streets, sidewalks, bicycle lanes, bus stops, transit infrastructure, and other facilities designed to assist the movement of people or goods from one place to another. Makes conforming changes throughout the statute.

Amends GS 105-511.2 by amending the amount of the local sales tax from 1/4% to up to 1%. Removes the specified ballot language for the referendum on whether to levy the tax.

Amends GS 160D-702 to allowing a zoning regulation to include requirements that transportation facility (was, street) rights-of-way be dedicated to the public to the same extent and with the same limitations as provided for in the specified statutes. Amends GS 160D-705 to allow conditions on special use permits to include requirements that transportation facility (was, street) rights-of-way be dedicated to the public and that provision be made for recreational space and facilities.

**Intro. by Meyer, Murdock.**

[GS 105, GS 136, GS 153A, GS 160A, GS 160D](#)

[View summary](#)

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

S 645 (2023-2024) [ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP](#). Filed Apr 5 2023, *AN ACT TO PERMIT OPPORTUNITY SCHOLARSHIPS TO BE AWARDED TO STUDENTS IN HOME SCHOOL, TO PHASE IN INCREASED AWARD AMOUNTS FOR HOME SCHOOLERS OVER TIME, AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.*

Amends GS 115C-562.1, containing definitions applicable to scholarship grants, as follows. Amends the criteria to be an eligible student to require the child be enrolled in a nonpublic school, instead of a nonpublic school meeting the requirements of Part 1 (Private Church Schools and Schools of Religious Charter) and Part 2 (Qualified Nonpublic Schools) of Article 39 of GS Chapter 115C. Expands upon the definition of *nonpublic school* to include a school meeting the requirements of Part 3 (Home Schools), in addition to already included schools meeting the requirements of Parts 1 or 2. Adds and defines *home school* as a nonpublic school meeting the requirements of Part 3 as identified by the Division of Nonpublic Education (Division). Adds and defines *private school* as a school meeting the requirements of Part 1 or Part 2 as identified by the Division. Makes conforming changes to GS 115C-562.4.

Amends GS 115C-562.2 to cap the amount to be awarded to home school students at up to \$1,000. Funds are required under GS 115C-562.6 to be awarded at least two times each school year.

Limits the scope of GS 115C-562.5 (obligations of school accepting eligible students receiving scholarship grants) to private schools (Private Church Schools and Schools of Religious Charter, and Qualified Nonpublic Schools). Amends reporting requirements under GS 115C-562.7 to limit reporting the following topics to information on private schools: (1) schools deemed ineligible to receive scholarships and (2) learning gains or losses of students receiving scholarship grants.

The above provisions are effective June 30, 2023, and apply to applications for scholarship grants beginning with the 2023-24 school year.

Effective July 1, 2024, further amends GS 115C-562.2 by increasing the cap on the scholarship grant amount that may be awarded to home school students to \$2,000; effective July 1, 2025, increases that amount to \$3,000; and effective July 1, 2026, increases that amount to 45% of the average State per pupil allocation for average daily membership in the prior fiscal year.

Appropriates \$113 million for 2023-24 from the General Fund to the UNC Board of Governors to be allocated to the State Education Assistance Authority for the purposes of this act. Appropriates \$225 million for 2023-24 and \$337 million in additional recurring funds for 2024-25 from the General Fund to the Opportunity Scholarship Grant Fund Reserve, for the purposes of this act.

Amends GS 115C-562.8 by increasing the amounts appropriated from the General Fund to the Opportunity Scholarship Grant Fund Reserve starting in 2025-26 from \$206,540,000 to \$572,540,000 through 2032-33 and thereafter from \$311,540,000 to \$676,540,000. Effective July 1, 2023.

**Intro. by Burgin.**

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education,  
Government, State Agencies, UNC System](#)

S 646 (2023-2024) [COASTAL FUNDING AND POLICY PRIORITIES](#). Filed Apr 5 2023, *AN ACT TO PROVIDE FUNDS AND AMEND VARIOUS LAWS TO PROTECT, PRESERVE, AND ENHANCE THE ECONOMIC AND ENVIRONMENTAL WELL-BEING OF THE COASTAL REGION OF NORTH CAROLINA.*

Appropriates \$2 million in recurring funds for 2023-24 from the General Fund to the NC Coastal Federation (Federation) for: (1) living shoreline projects sponsored by a local government that is or is in a coastal county and (2) matches for funds provided to the Federation or a local government for living shoreline projects. Requires the Federation to report annually on the use of the funds to the specified NCGA committee and division.

Appropriates \$800,000 for 2023-24 from the General Fund to the Federation for capital improvement projects at the Federation's mariculture hub in Carteret County.

Appropriates \$500,000 in recurring funds for 2023-24 from the General Fund to the Federation for (1) the Federation's Lost Fishery Gear Recovery Program, which employs coastal fishermen and private partners to remove debris from coastal waters; (2) the investigation, removal, and disposal of abandoned and derelict vessels in State public trust waters in coastal counties, allowing funds to be used to contract with a federal or State agency or unit of local government or to match federal grant funds; and (3) up to \$50,000 must be used to study and develop a recommendation for a permanent program for the removal of abandoned and derelict vessels in coastal waterways and requires consultation with specified stakeholders. Requires the Federation to submit an interim report by March 1, 2024, and a final report by October of each year that includes specified items to the specified NCGA committee and division.

Appropriates \$500,000 for 2023-24 from the General Fund to the Federation for the restoration and protection of oyster habitat in Stump Sound from polluted stormwater runoff.

Amends GS 113-211, concerning the Shellfish Growers Loan Program as follows. Changes the definition of *prime rate* to now mean with respect to loans approved in a particular month the rate corresponding to the prime rate published by the Wall Street Journal on the first business day of that month (was defined as the interest rate that a commercial bank holds out as its lowest rate for a loan with less than a 36-month term to its most creditworthy borrowers). Specifies that funds in the Loan Program do not revert but remain available for the purposes described in the statute (was, funds are available in perpetuity). Amends the interest rate for loans under the Loan Program to be a fixed rate equal to the lesser of the prime rate and 5% (was, set at the prime rate plus 2.25%).

Requires the North Carolina Building Code Council (Council) and Code enforcement officials to prohibit the use of unencapsulated polystyrene material (as defined) in the construction of floating docks, piers, or walkways in waters of the State in coastal counties. Requires the Council to adopt a rule to amend the Code to be consistent with these provisions. Expires on the date that the adopted rules become effective.

Defines *coastal county* as it is used in the act to mean a county included in the definition of coastal areas in GS 113A-103, which sets out the following definition: the counties that (in whole or in part) are adjacent to, adjoining, intersected by or bounded by the Atlantic Ocean (extending offshore to the limits of State jurisdiction, as may be identified by rule of the Commission, but in no event less than three geographical miles offshore) or any coastal sound; requires the Governor to designate the counties that constitute the "coastal area."

Effective July 1, 2023.

**Intro. by Lee, Lazzara, Hanig.**

**APPROP, GS 113**

[View summary](#)

**Development, Land Use and Housing, Building and Construction, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations**

S 647 (2023-2024) [STATE BAR DUES/NCGA STAFF CLES](#). Filed Apr 5 2023, *AN ACT TO ENCOURAGE THE NORTH CAROLINA STATE BAR COUNCIL TO REVISE ITS RULES TO CREATE AN EXEMPTION FROM NORTH CAROLINA STATE BAR CONTINUING LEGAL EDUCATION REQUIREMENTS FOR FULL-TIME EMPLOYEES OF THE NORTH CAROLINA GENERAL ASSEMBLY AND TO MAKE CHANGES TO MEMBERSHIP DUES AND INFORMATION FOR THE NORTH CAROLINA STATE BAR AND DISTRICT BARS*.

Includes whereas clauses.

Part I.

Encourages the NC State Bar Council to adopt a rule exempting full-time NCGA employees who are licensed attorneys from all continuing legal education requirements.

Part II.

Amends GS 84-34 to increase bar dues from \$300 to: \$325 in 2025, \$350 in 2028, \$375 in 2030, and \$375 adjusted for inflation beginning in 2033 and thereafter. Requires members of the State Bar to notify the secretary-treasurer of the member's correct email address in addition to mailing address. Exempts members serving in the Armed Forces from paying bar dues for any year in which the member is on full-time active duty, including members of the National Guard and Reserves called to active duty beyond regularly scheduled monthly and annual trainings. Removes the specified timing for giving the name of members in arrears to the presiding superior court judge and for submitting the list to the Council.

Amends GS 84-18.1 by amending the amount of the fee that may be charged by a district bar to cap the amount at 50% of the amount of the membership fee for members of the State Bar (was, capped at the amount of the State Bar membership fee). Allows notices of meetings where district bar dues may be imposed or increased to be emailed or mailed. Also requires members to inform the secretary-treasurer of their correct email address. Makes conforming change.

Allows the State Bar to adopt temporary rules to implement Part II.

Part III.

Effective July 1, 2023.

**Intro. by Lee, Galey, Batch.**

[GS 84](#)

[View summary](#)

**[Business and Commerce, Occupational Licensing,  
Government, General Assembly](#)**

S 648 (2023-2024) [PROTECT CRITICAL INFRASTRUCTURE II](#). Filed Apr 5 2023, *AN ACT TO INCREASE THE PUNISHMENT FOR PROPERTY CRIMES COMMITTED AGAINST CRITICAL INFRASTRUCTURE, INCLUDING PUBLIC WATER SUPPLIES AND WASTEWATER TREATMENT FACILITIES, AND TO MAKE CONFORMING CHANGES TO UPDATE STATUTES RELATING TO DAMAGE TO UTILITIES*.

Amends GS 14-159.1 by amending offenses related to contamination of a public water system, as follows. Makes illegal to knowingly and willfully stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, or make such an attempt, the property or equipment of a public water system with the intent to impair the services of the public water system (was, to willfully damage or tampers with the property or equipment of a public water system with the intent to impair the services of the public water system). Makes it illegal to knowingly and willfully stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, or make such an attempt, the property or equipment of a wastewater treatment system (as defined) that is owned or operated by a public utility or a local government unit. Violations of the above are a Class C felony. Imposes a fine on violators of the above as well as the existing violation of contaminating a public water system, of \$250,000. Prohibits merging an offense under this statute with others. Gives a person whose property or person is injured by a violation a right of civil action against the person who committed the violation and any person who acts as an accessory before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation; sets out allowable damages including treble damages.

Amends GS 62-323 increasing the penalty for willfully stopping, obstructing, impairing, weakening, injuring, or destroying any public utility building, construction or work, or any related engine, machine or structure, from a Class 1 misdemeanor to a Class C felony. Specifies that each violation is a separate offense and cannot be merged with any other offenses. Gives a person whose property or person is injured by a violation a right of civil action against the person who committed the violation and any person who acts as an accessory before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation; sets out allowable damages including treble damages. Specifies that this statute applies only to conduct resulting in injury to a public utility or its property not covered by GS 14-150.2, GS 14-154, or GS 14-159.1.

Repeals GS 143-152, which made it a Class 1 misdemeanor to intentionally or maliciously damage or obstruct any waterline of any public institution, or in any way contaminate or render the water impure or injurious.

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

**Intro. by McInnis, Britt, P. Newton.**

[GS 14, GS 62, GS 143](#)

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Local Government, Public Enterprises and Utilities**

S 656 (2023-2024) **FOSTER BH IDD TAILORED PLAN COMPETITION**. Filed Apr 6 2023, *AN ACT TO FOSTER COMPETITION AMONG THE BH IDD TAILORED PLANS*.

Requires the Department of Health and Human Services, Division of Health Benefits (DHB), to submit by July 1, 2023, to the Centers for Medicare and Medicaid Services (CMS) any amendment to the 1115 waiver for Medicaid Transformation necessary for approval to effectuate the following changes related to BH IDD Tailored Plans: (1) beneficiaries may opt to remain in the Medicaid fee-for-service program (Medicaid Direct) for physical healthcare services when any of the beneficiary's healthcare providers are not contracted with the LME/MCO Tailored Plan network, if staying in Medicaid Direct is necessary as a reasonable accommodation of the beneficiary's need for continuity of care and (2) based on differing service arrays, available services, or provider networks, beneficiaries may opt into a BH IDD tailored plan operating outside of the region where they reside.

Requires DHB to report by August 1, 2023, to the specified NCGA committee with recommendations for promoting competition among local management entities/managed care organizations in a way that fosters innovation and leads to better care for Medicaid beneficiaries. Also requires inclusion of a copy of all State Plan amendments or other documents submitted to CMS in accordance with the above provision, and legislative changes needed.

**Intro. by Grafstein.**

**UNCODIFIED**

[View summary](#)

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

S 657 (2023-2024) **LME/MCO TRANSPARENCY AND ACCOUNTABILITY**. Filed Apr 6 2023, *AN ACT TO REQUIRE QUARTERLY REPORTING BY LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS REGARDING ACCESS TO HEALTHCARE PROVIDERS AND TO PROVIDE FOR SPECIFIC MINIMALLY ADEQUATE SERVICES REQUIREMENTS TO BE MET BY LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS*.

Requires every local management entity/managed care organization (LME/MCO) to submit the following to the Department of Health and Human Services (DHHS) quarterly beginning October 1, 2023, and for four years thereafter: (1) number of individuals served by the LME/MCO who had an emergency department stay of more than 24 hours and the length of stay for each individual; (2) number, and percentage of, individuals served by the LME/MCO who were unable to access a healthcare provider both willing and able to initiate services within 30 days of the approval of those services; (3) amount of funds retained by the LME/MCO for services approved for an individual served by the LME/MCO but not used due to limited access to appropriate or available providers; (4) number of healthcare providers in the LME/MCO's network by provider type and any subsequent change; and (5) number of individuals deemed eligible for mental, behavioral, or substance use services pursuant to contract between DHHS and the LME/MCO who are not receiving any or all of those services through the LME/MCO, except when the needed service is made available by another payor.

Requires the Secretary of DHHS to adopt rules incorporating the following to be met no later than December 31, 2023, and quarterly thereafter: (1) LME/MCOs must have fewer than two beneficiaries per county in the LME/MCO's catchment area boarded in a hospital emergency department at any one time; and (2) individuals served by the LME/MCO must have access to a willing and available healthcare provider and begin receiving all approved services within 45 days of the approval of the services at least 85% of the time (excluding specialized medical services for which there are extended wait times for individuals who are not Medicaid beneficiaries). Allows the Secretary to incorporate these items into any future managed care contracts. Also allows the Secretary to develop additional measures of LME/MCO compliance with requirements for timely access to services for individuals they serve. Failure of an LME/MCO to meet the benchmarks for two consecutive quarters constitutes a failure to provide for minimally adequate services and the Secretary must take corrective action and initiate the



procedure in GS 122C-124.1 (actions by the Secretary when area authority or county program is not providing minimally adequate services).

**Intro. by Grafstein.**

UNCODIFIED

[View summary](#)

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

S 658 (2023-2024) [WATER SAFETY ACT OF 2023](#). Filed Apr 6 2023, *AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM DRINKING WATER CONTAMINATED WITH PFAS THROUGH FOCUSED EXPOSURE RESEARCH AND RISK ANALYSIS UNDER THE NORTH CAROLINA COLLABORATORY, TO PROVIDE FOR A STUDY OF COGNITIVE RISKS FROM LEVELS OF FLUORIDE PRESENT IN PUBLIC WATER SUPPLIES BY THE COMMISSION FOR PUBLIC HEALTH, AND TO MAKE OTHER REVISIONS TO THE COLLABORATORY'S RESEARCH PROGRAMS.*

Appropriates the following from the General Fund to the North Carolina Collaboratory for 2023-24 for research and programs related to per- and poly-fluoroalkyl substances (PFAS): (1) \$20 million for programs related to management of aqueous film-forming foams (AFFF) containing PFAS used by local fire departments and for other PFAS-related research. Sets out the definition of *local fire department* and specifies five purposes for which these funds can be used and (2) \$4 million in recurring funds for other PFAS research projects, prioritizing funding for a multiyear human exposure study related to PFAS in counties identified with higher than average PFAS exposure risks through inhalation, ingestion, and dermal exposure and setting out criteria for selecting participants. Requires the Collaboratory to report on the use of these funds and its PFAS research programs to the NCGA by January 15 of odd-numbered years; specifies information to be included in the report.

Appropriates \$2 million in recurring funds for 2023-24 from the General Fund to the Collaboratory for water-related research for emerging compounds, water quality improvements, or other discretionary research deemed important to the State.

Requires the Commission for Public Health to review a specific report from the National Toxicity Program and studies reviewed in the report and relevant studies to assess the association between fluoride exposure and IQ in children. Requires the Commission to determine whether there is sufficient evidence for a link between fluoride in the public water supply and cognitive decline or other neurological detriment in children. Requires a report to the NCGA by February 1, 2024, including recommendations on specified issues. Provides that if the Commission determines there is a link, then the Department of Health and Human Services must create a list of water utilities (public and private) in the state, their fluoride concentration, the number of children or households to which they provide water, and any other pertinent information; also requires a ranking of the risk to children of the water supplied by each utility.

Amends Section 8.9 of SL 2021-180 to require that grants in the Collaboratory's research grant program for the specified UNC constituent institutions identified as historically Minority-Service Institutions be focused on areas within the Collaboratory's mission, as it is set forth in GS 116-255 (which establishes the Collaboratory, sets out its powers and duties and sets out funding conditions and restrictions), instead of specifying a mission.

Amends GS 116-255 by adding the following to the provisions governing funds received by the Collaboratory. Allows the Collaboratory to negotiate or impose revenue-sharing requirements for intellectual property developed through its research awards using State funds. Provides that funds appropriated by the NCGA to the Collaboratory do not revert but instead remain available until expended and do not apply to the carryforward limitation imposed on UNC constituent institutions.

Effective July 1, 2023.

**Intro. by Lee, Bode, Sawrey.**

APPROP, STUDY, GS 116

[View summary](#)

**Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Department of Health and Human Services, Health and Human Services, Health, Public Health, Public Enterprises and Utilities**

Amends GS 90-118.10 by amending the State's policy related to renewal of optometry licenses, so that all licenses, primary and branch (was, licenses), issued by the NC State Board of Examiners in Optometry (Board) are subject to annual renewal and the exercise of any privilege granted by the license is subject to the issuance of a certificate of renewal of license. Changes the date of the issuance of the renewal to on or before December 31 (was first day of January of each year). Makes conforming changes. Requires applicants for renewal to include their practice's street address in their renewal application. Changes the date of the application deadline from January 31 to January 1; changes the date by which a person who fails to apply for renewal is considered to be guilty of unauthorized practice of optometry from March 31 to January 31. Adds that if the inactive license is not renewed by December 31 of that year, then the license expires and is not eligible for renewal.

Amends GS 90-123 as follows. Increases the following fees: application for general optometry license (was, exam), general optometry license renewal, and duplicate application for a branch office license or renewal (was, duplicate license or renewal) for each branch office. Adds fees for provisional license and renewal of a provisional license. Removes fees for certificate of license to a resident optometrist desiring to change to another state or territory, license to a practitioner of another state or territory to practice in North Carolina, and license to resume practice issued to an optometrist who has retired or who has left and returned to the state.

Amends GS 90-121.2 as follows. Amends the conditions under which the Board may take disciplinary action by: (1) removing instances when the licensee is mentally, emotionally, or physically unfit to practice optometry or is afflicted with such a physical or mental disability as to be deemed dangerous to the health and welfare of their patients and (2) adding instances when a licensee is unable to practice optometry with reasonable skill and safety by reason of abuse of alcohol, drugs, chemicals, or any other type of substance, or by reason of any physical or mental illness, abnormality, or other limiting condition. Adds that the Board may order an applicant or licensee to submit to a mental or physical examination while a licensing application is pending, or before or after charges may be presented against the applicant or licensee. Allows results of the exam to be admissible in evidence in a hearing before the Board. Makes conforming changes. Makes failure to comply unprofessional conduct.

Amends GS 90-121.6 by adding that reports licensed optometrists or those applying for licensure must make to the Board concerning medical malpractice must be made within 30 days of occurrence. Adds a provision setting out allowable methods for submitting these reports to the Board. Adds that failure to make these required reports is unprofessional conduct and grounds for discipline.

Enacts new GS 90-121.7 imposing on licensees a duty to report within 30 days any incidents the licensee reasonably believes to have occurred involving: (1) sexual misconduct of any person licensed by the Board with a patient and (2) fraudulent prescribing, drug diversion, or theft of any controlled substances by another person licensed by the Board. Failure to report is unprofessional conduct and grounds for discipline. Provides immunity from civil liability for those reporting in good faith and without fraud or malice. Reports made in bad faith, fraudulently, or maliciously are unprofessional conduct and grounds for discipline. Sets out the methods by which the reports can be submitted to the Board.

Amends GS 90-137 to require when giving patients that have received an eye exam a copy of their spectacle prescription that it be consistent with Federal Trade Commission rules and guidelines.

Enacts new GS 90-127.4 allowing an optometrist to register with the NC Board of Pharmacy to dispense drugs, limited to drugs for the diagnosis and treatment of abnormal conditions of the eye and its adnexa. Limits such dispensing to legend or prescription drugs to their own patients. Requires paying the dispensing fee and complying with the dispensing registration process. Requires registration with the NC Board of Pharmacy and the Board as well as compliance with all rules governing dispensing of drugs under this statute.

Enacts new GS 90-85.26B requiring dispensing optometrists dispensing prescription drugs to register annually with the Board and with the licensing board with jurisdiction over the dispensing optometrist. Requires dispensing to comply with laws and regulations applicable to pharmacists governing the distribution of drugs, including packaging, labeling, and record keeping. Discipline authority is vested in the licensing board having jurisdiction over the dispensing optometrist.



Amends GS 90-85.25 to allow the NC Board of Pharmacy to charge dispensing optometrists an annual registration fee and a reinstatement of registration fee, both set at \$75.

Allows the Board and NC Board of Pharmacy to adopt temporary rules to implement the act.

Effective October 1, 2023.

**Intro. by Burgin, Krawiec, Corbin.**

[GS 90](#)

[View summary](#)

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

S 660 (2023-2024) [INCREASE ACCESS TO MEDICAID HCWD PROGRAM](#). Filed Apr 6 2023, *AN ACT TO REMOVE THE UNEARNED INCOME LIMIT AND ALL RESOURCE LIMITS FROM THE HEALTH COVERAGE FOR WORKERS WITH DISABILITIES ACT UNDER THE MEDICAID PROGRAM*.

Requires the Department of Health and Human Services (DHHS), Division of Health Benefits, no later than 90 days after this act becomes law, to submit the necessary documentation to the Centers for Medicare and Medicaid Services (CMS) for approval to remove the unearned income limit from the Health Coverage for Workers With Disabilities Medicaid eligibility category requirements. Requires the DHHS Secretary to notify the Revisor of Statutes of the effective date approved by CMS for the removal, if approved.

Amends GS 108A-66.1, concerning the Health Coverage for Workers with Disabilities Act (HCWD), as follows. Amends the eligibility requirements by removing the income limitation. Instead, provides that in determining an individual's countable income for purposes of HCWD, DHHS may not consider income that is disregarded under the Medicaid State Plan's financial methodology. Specifies that there are no unearned income limitations or resource limitations. Effective on the date approved by the Centers for Medicare and Medicaid Services for the removal of the unearned income limit and resource limitations for Health Coverage for Workers With Disabilities program eligibility, as required above.

Appropriates \$153,000 in recurring funds for each year of the 2023-25 biennium from the General Fund to DHB for a match for federal funds which are appropriated to DHB. Effective July 1, 2023.

**Intro. by Grafstein, Moffitt.**

[APPROP, GS 108A](#)

[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 663 (2023-2024) [EXPEDITE MILITARY TRAINED/SPOUSE LIC./ATTYS](#). Filed Apr 6 2023, *AN ACT TO ALLOW FOR AN EXPEDITED LICENSURE PROCESS FOR ATTORNEYS WHO ARE MILITARY-TRAINED APPLICANTS OR MILITARY SPOUSES*.

Amends GS 93B-15.1 to allow a military spouse that applies under the statute to be licensed to practice law to comply with GS 84-4.3 (below) and other applicable provisions of GS Chapter 84.

Enacts new GS 84-4.3 providing as follows. Provides that if a military-trained applicant or military spouse is issued a license to practice law under GS 93B-15.1 the licensee must be actively supervised by an actively licensed attorney in good standing in this State for three years. Requires the supervising attorney to be employed at the same firm as the military-trained applicant or military spouse. Grants the licensee to practice law after the three-year period, without the requirement of supervision as long as the military-trained applicant or military spouse is in good standing with the North Carolina State Bar. Waives application fees for any military-trained applicant or military spouse who applies for a license under this statute but requires paying applicable fees as a licensed attorney upon completion of the three-year period. Does not require the military-trained

applicant or military spouse applicant to have been actively practicing law as their principal means of livelihood in a reciprocal jurisdiction prior to the date of application, but requires a license to practice law in good standing in a reciprocal jurisdiction.

Requires the State Bar to adopt temporary rules to implement these provisions.

Applies to applications for licensure on or after October 1, 2023.

**Intro. by Applewhite.**

[GS 84](#)

[View summary](#)

**[Business and Commerce, Occupational Licensing, Military and Veteran's Affairs](#)**

S 665 (2023-2024) [ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP](#). Filed Apr 6 2023, *AN ACT TO PERMIT OPPORTUNITY SCHOLARSHIPS TO BE AWARDED TO STUDENTS IN HOME SCHOOL, TO PHASE IN INCREASED AWARD AMOUNTS FOR HOME SCHOOLERS OVER TIME, AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.*

Identical to [S 645](#), filed 4/5/23.

Amends GS 115C-562.1, containing definitions applicable to scholarship grants, as follows. Amends the criteria to be an eligible student to require the child be enrolled in a nonpublic school, instead of a nonpublic school meeting the requirements of Part 1 (Private Church Schools and Schools of Religious Charter) and Part 2 (Qualified Nonpublic Schools) of Article 39 of GS Chapter 115C. Expands upon the definition of nonpublic school to include a school meeting the requirements of Part 3 (Home Schools), in addition to already included schools meeting the requirements of Parts 1 or 2. Adds and defines home school as a nonpublic school meeting the requirements of Part 3 as identified by the Division of Nonpublic Education (Division). Adds and defines private school as a school meeting the requirements of Part 1 or Part 2 as identified by the Division. Makes conforming changes to GS 115C-562.4.

Amends GS 115C-562.2 to cap the amount to be awarded to home school students at up to \$1,000. Funds are required under GS 115C-562.6 to be awarded at least two times each school year.

Limits the scope of GS 115C-562.5 (obligations of school accepting eligible students receiving scholarship grants) to private schools (Private Church Schools and Schools of Religious Charter, and Qualified Nonpublic Schools). Amends reporting requirements under GS 115C-562.7 to limit reporting the following topics to information on private schools: (1) schools deemed ineligible to receive scholarships and (2) learning gains or losses of students receiving scholarship grants.

The above provisions are effective June 30, 2023, and apply to applications for scholarship grants beginning with the 2023-24 school year.

Effective July 1, 2024, further amends GS 115C-562.2 by increasing the cap on the scholarship grant amount that may be awarded to home school students to \$2,000; effective July 1, 2025, increases that amount to \$3,000; and effective July 1, 2026, increases that amount to 45% of the average State per pupil allocation for average daily membership in the prior fiscal year.

Appropriates \$113 million for 2023-24 from the General Fund to the UNC Board of Governors to be allocated to the State Education Assistance Authority for the purposes of this act. Appropriates \$225 million for 2023-24 and \$337 million in additional recurring funds for 2024-25 from the General Fund to the Opportunity Scholarship Grant Fund Reserve, for the purposes of this act.

Amends GS 115C-562.8 by increasing the amounts appropriated from the General Fund to the Opportunity Scholarship Grant Fund Reserve starting in 2025-26 from \$206,540,000 to \$572,540,000 through 2032-33 and thereafter from \$311,540,000 to \$676,540,000. Effective July 1, 2023.

**Intro. by Burgin, Krawiec.**

[APPROP, GS 115C](#)

[View summary](#)

**[Education, Elementary and Secondary Education, Government, State Agencies, UNC System](#)**

S 666 (2023-2024) [RAFFLES/INCREASE REAL ESTATE PRIZE LIMIT](#). Filed Apr 6 2023, *AN ACT TO INCREASE THE TOTAL APPRAISED VALUE OF ALL REAL ESTATE PRIZES OFFERED DURING A CALENDAR YEAR BY A NONPROFIT ORGANIZATION AS PART OF A RAFFLE*.

Amends GS 14-309.15 by increasing the cap on (1) appraised value of real property that may be offered for any one raffle and (2) the total appraised value of all real estate prizes offered by any nonprofit in a calendar year, to \$750,000 (was, \$500,000). Prohibits no more than three real estate prizes from being offered by any nonprofit organization in any calendar year.

**Intro. by Jarvis, Johnson.**

[GS 14](#)

[View summary](#)

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

S 667 (2023-2024) [REGULATION OF SHORT-TERM RENTALS](#). Filed Apr 6 2023, *AN ACT TO LIMIT THE REGULATION OF SHORT-TERM RENTALS BY LOCAL GOVERNMENTS TO PROTECT PRIVATE PROPERTY RIGHTS AND TO ESTABLISH GUIDELINES FOR REGULATING SHORT-TERM RENTALS*.

Includes whereas clauses.

Enacts new GS 160A-499.6 prohibiting cities from adopting or enforcing ordinances, rules, or regulations that: (1) prohibit the use of residential property as a short-term rental; (2) prohibit the use of accessory dwelling units as short-term rentals; (3) limit the number of nights a property can be rented as a short-term rental; (4) require the owner of the short-term rental to occupy the property for any period of time during a rental to an occupant; (5) classify short-term rentals as a commercial use; or (6) limit the operation of a short-term rental marketplace. Allows a city to adopt an ordinance, rule, or regulation that regulates short-term rentals by: (1) requiring a lodging operator to obtain a permit to operate a short-term rental within the city's corporate limits and allows revocation of the permit for specified reason, and allows charging a permit fee; (2) as part of the lodging operator permitting process, limiting the number of occupants allowed to stay in a short-term rental; (3) as part of the lodging operator permitting process, restricting the number of occupant vehicles to one per bedroom; (4) restricting the location of short-term rentals to areas of the city zoned for residential use, and requiring that the property remains in compliance with residential zoning requirements; (5) requiring that short-term rentals comply with all applicable city ordinances and codes, including building codes and housing codes; (6) requiring that all contracts for short-term rentals include a copy of any city ordinances regulating noise, waste removal, and parking or, in the alternative, that the lodging operator provides to the occupants a written summary of those ordinances; (7) prohibiting the use of short-term rentals for any purpose other than that which is allowed in hotels, motels, and inns without the property owner's prior approval; or (8) requiring a lodging operator or authorized agent of a lodging operator be within a 50-mile radius of a short-term rental during the time that an occupant is staying in a short-term rental.

Defines short-term rental as all of the following that are offered to the public for a fee and for 90 days or less: (1) an individually or collectively owned single-family house or dwelling unit; (2) a unit in a condominium, timeshare, townhome, or accessory dwelling unit; and (3) an owner-occupied residential home. Also defines lodging operator and short-term rental marketplace.

**Intro. by Moffitt, Hanig.**

[GS 160A](#)

[View summary](#)

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

S 668 (2023-2024) [GAMING COMMISSION](#). Filed Apr 6 2023, *AN ACT TO ESTABLISH A UNIFIED AND COMPREHENSIVE SYSTEM OF REGULATING GAMING IN NORTH CAROLINA*.

Enacts new GS Chapter 18D, Gaming, providing as follows. Establishes the seven-member North Carolina State Gaming Commission (Commission) to regulate and oversee gaming in the State. Members are to be appointed by the Governor and subject to NCGA confirmation; sets out the process for appointing members. Sets terms of office at six years. Provides for the designation of a chairperson, filling of vacancies, amount of member salaries, and travel and subsistence expenses. Prohibits members of the Commission from engaging in any other employment, business, profession, or vocation while in office. Requires members to take an oath of office. Prohibits members from holding an elective office or being a candidate for an elective office. Sets out five actions under which the member vacates their membership. Sets out meeting requirements. Sets members compensation at \$125,000 per year. Requires Commission records to be open and available to the public. Makes personnel records subject to Article 7 (Privacy of State Employee Personnel Records) of GS Chapter 126. Specifies which information about a lottery winner is public record.

Gives the Commission the following powers and duties: (1) to administer and enforce the provisions of this Chapter; (2) to adopt rules to implement this Chapter; (3) to conduct a background investigation, including a criminal history record check, of potential electronic sweepstakes operators and electronic sweepstakes vendors under Article 2 of this Chapter, which may include a search of the State and National Repositories of Criminal Histories based on the fingerprints of applicants; (4) to charge a fee, not to exceed the cost of the criminal record check, of the potential electronic sweepstakes operators and potential electronic sweepstakes vendors; and (5) any other powers necessary for the Commission to carry out its responsibilities under this Chapter.

Requires the Commission to make quarterly and annual reports on specified information, to the Governor, State Treasurer, and NCGA. Requires the State Auditor to conduct annual audits of the Commission's accounts and transactions.

Recodifies Part 2, Bingo and Raffles of Article 37 of GS Chapter 14 as Article 4 of GS Chapter 18D. Requires references in that Article to the Department of Public Safety to be replaced with the Commission.

Repeals GS 143-652.2 (establishing the North Carolina Boxing and Combat Sports Commission) and recodifies the remainder of Article 68, Regulation of Boxing, of GS Chapter 143 as Article 5 (appears to intend Article 3) of GS Chapter 18D. Requires references in that Article to the Alcohol Law Enforcement Branch of the Department of Public Safety, Branch, and Secretary of Public Safety to be replaced with the Commission.

Enacts new GS 143B-975 allowing the Department of Public Safety to provide the Commission and its Director with criminal histories of prospective employees or potential licensees. Sets out provisions related to conducting a background check.

Provides that if H 347, Sports Wagering, becomes law, then Article 9 of GS Chapter 18C in that act is recodified as Article 4 of GS Chapter 18D.

Provides that if H 512, Forgivable Loans/HBCU Supplemental Funding, then Article 9, Video Gaming Terminals of GS Chapter 18C in that bill, is recodified as Article 5 of GS Chapter 18D.

Effective October 1, 2023.

**Intro. by Moffitt.**

[GS 14, GS 18D, GS 143](#)

[View summary](#)

**[Government, State Agencies, Department of Commerce, Department of Public Safety, Lottery and Gaming](#)**

S 671 (2023-2024) [BIFURCATE ECONOMIC DISTRESS CATEGORIZATION](#). Filed Apr 6 2023, *AN ACT TO MODIFY HOW TO CATEGORIZE ECONOMIC DISTRESS DEPENDING ON THE FUNCTION FOR WHICH THE CATEGORIZATION IS TO BE USED.*

Requires all departments, authorities, other State and local entities, and entities receiving and using State funds for any other purpose that use the development tier designations determined pursuant to GS 143B-437.08 for any purpose or program, including, but not limited to, taxes, the NC Development Farmland Preservation Trust Fund, the Spay and Neuter Program, the Abandoned Manufactured Home Cleanup Grants Program, the State Wastewater Reserve, the State Drinking Water Reserve, the Public Safety Assistance Points Grant Program, Oral Health Preventive Services, Medication Assistance, Qualified Allocation Plan for Low Income Housing Tax Credits, to discontinue the use of such designations by no later than July 1,

2025. Requires those entities to develop criteria to achieve each program's objectives to be used in place of the development tiers and report to the specified NCGA division. Exempts the Department of Commerce (Department), the corporation with which the Department contracts pursuant to GS 143B-437.01 (industrial development fund utility account), and other entities working with the Department where the Department, the corporation, and the entities are using the development tier designations for economic development purposes. Requires the Department of Agriculture and Consumer Services, Department of Environmental Quality, Department of Information Technology, Department of Health and Human Services, NC Housing Finance Agency, Department of Transportation, and the Department of Revenue to independently develop criteria designed to achieve each program's objectives to be used in place of development tier designations and report by July 1, 2024, on any recommended legislation and on the developed criteria to the Fiscal Research Division and to the specified NCGA committees. Permits the entities to use the last development tier designations published by the Department until the earlier of developed replacement criteria or July 1, 2025. Applies to determinations of annual rankings for calendar year 2024 and beyond.

Amends GS 143B-437.08 (development tier criteria) to define a development tier two county as one whose annual ranking is one of the 50 (was, 40) highest in the state. Requires population density to be measured using the most recent estimates of population. Automatically ranks a county with a population density of greater than 750 people per square mile as one of the 10 lowest counties. Requires reporting on both rural and low-wealth census tracts, in addition to other reporting requirements.

**Intro. by Sawrey, Sawyer, McInnis.**

**GS 143**

[View summary](#)

**Development, Land Use and Housing, Community and Economic Development, Government, State Agencies**

S 683 (2023-2024) **EXPANDING WORKFORCE AND EDUCATION ACT**. Filed Apr 6 2023, *AN ACT TO EXPAND NORTH CAROLINA'S WORKFORCE BY PROVIDING IN-STATE TUITION TO NORTH CAROLINA HIGH SCHOOL GRADUATES WHO MEET CERTAIN CRITERIA*.

Includes whereas clauses.

Amends GS 116-143.1 to make a person who meets the following eligible for the in-state tuition rate at UNC constituent institutions and the community colleges under the jurisdiction of the State Board of Community Colleges: (1) graduated and received a high school diploma from a school within North Carolina that is not a nonpublic residential school; (2) enrolled in the institution of higher education in the school year immediately following his or her graduation and receipt of a high school diploma; (3) attended North Carolina public or nonpublic schools for a minimum of four consecutive years immediately prior to high school graduation and receipt of a high school diploma; (4) holds an unexpired North Carolina drivers license or special identification card; and (5) received a social security number and card from the US Social Security Administration.

Amends GS 116-143.4 by adding that a person eligible for the in-State tuition rate under GS 116-143.1 is not considered an in-State applicant for the purposes of admission to a UNC constituent institution.

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

**Intro. by Lee, Sawyer, Mayfield.**

**GS 116**

[View summary](#)

**Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System**

S 685 (2023-2024) **FUNDS FOR ORPHAN ROADS IN MECKLENBURG CO**. Filed Apr 6 2023, *AN ACT TO PROVIDE FUNDS FOR UPGRADING ORPHAN ROADS IN MECKLENBURG COUNTY*.

Includes whereas clauses.

Appropriates \$5 million from the General Fund to the Office of State Budget and Management for 2023-24 for a directed grant to Mecklenburg County for the repair and improvement of orphan roads in non-municipal areas of the County.

Requires the Department of Transportation to make necessary improvements to Grand Palisades Parkway for acceptance of a subdivision street, after which the Department must accept the Parkway into the State highway system for maintenance.

Appropriates \$750,000 from the Highway Fund to the Department for 2023-24 to make these improvements.

Effective July 1, 2023.

**Intro. by Salvador.**

[APPROP, Mecklenburg](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies,  
Department of Transportation, Transportation](#)

S 691 (2023-2024) [RADON TECHNICIAN CERTIFICATION](#). Filed Apr 6 2023, *AN ACT TO DIRECT THE COMMISSION FOR PUBLIC HEALTH TO ESTABLISH AN APPROVAL PROCESS FOR RADON PROFICIENCY PROGRAMS*.

Defines department, international program approval standard, ISO/IEC, radon professional, radon proficiency program approval rules, and recognized accreditation body.

Requires the Department of Health and Human Services, through its Division of Health Service Regulation (Department) to adopt temporary and permanent radon proficiency program approval rules that provide for all of the following:

- Approval of a radon proficiency program that meets either of the following criteria: (1) compliance and periodic reaccreditation with the international program approval standard through accreditation by a recognized accreditation body or (2) satisfying the following requirements: (i) establishment of a board with members from various private and public sector stakeholders to make decisions regarding curriculum, testing, instructor qualifications, quality assurance and control, continuing education requirements, and procedures for the handling of complaints, (ii) minimum training requirements for radon professional certification, (iii) examination and continuing education requirements, (iv) submission of instructor qualifications demonstrating relevant knowledge and experience, and (v) submission to regular audits regarding property handling of risk, impartiality, and candidate records.
- Approval of a term that is no less than one year for radon proficiency programs that meet the criteria set forth above.
- In cases where an application for approval or renewal of approval for radon proficiency program is denied, that a proficiency program shall have 180 days to engage in corrective actions and reapply for renewal before any approval is revoked or, for a new radon proficiency program, before the applicant will have to resubmit a new application.
- Publication of a registry of approved proficiency programs in all communications by the Department regarding proficiency programs.

Specifies that the rules adopted by the Department are not subject to review by the Rules Review Commission under the APA. Specifies rules related to effective date. Provides that radon proficiency programs currently operating and were included in public listings of programs by the Department at any time after January 1, 2020, are deemed to be an approved radon proficiency program under the act until permanent rules are adopted and the program has been approved or denied approval under those rules.

**Intro. by Galey, Lee.**

[View summary](#)

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

S 697 (2023-2024) [SAVE THE STATE'S COASTAL RESOURCES](#). Filed Apr 6 2023, *AN ACT TO IMPOSE A MORATORIUM ON THE CONSIDERATION OF PERMIT APPLICATIONS AND ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF NEW OFFSHORE*

*WIND ENERGY FACILITIES TO ENSURE COASTAL RESOURCES ARE NOT ADVERSELY IMPACTED BY THE SITING OF SUCH FACILITIES.*

Includes whereas clauses. Establishes a moratorium on the consideration of permit applications and the issuance of permits for wind energy facilities located in the territorial coastal waters of the State (as defined) due to the potential for adverse impacts to the State's coastal resources. Prohibits State agencies from issuing permits for a wind energy facility in the State's territorial coastal waters from July 1, 2023, to July 1, 2033.

Requires the NCGA to Study the impacts from wind energy facilities already sited in other states' coastal waters and any impacts of the facilities to those states' coastal resources.

**Intro. by Moffitt, Hanig.**

**STUDY, UNCODIFIED**

[View summary](#)

**Environment, Environment/Natural Resources, Government, General Assembly, State Agencies, Public Enterprises and Utilities**

S 700 (2023-2024) **2023 UNEMPLOYMENT INSURANCE REFORM.** Filed Apr 6 2023, *AN ACT REFORMING THE EMPLOYMENT SECURITY LAWS BY INCREASING BENEFIT ELIGIBILITY TO A TWENTY-SIX WEEK PERIOD AND THE MAXIMUM WEEKLY BENEFIT AMOUNT TO THE SUM EQUAL TO FOUR HUNDRED FORTY-FIVE DOLLARS ADJUSTED ANNUALLY FOR INFLATION, BASING THE CALCULATION OF THE BENEFIT AMOUNT ON THE HIGHEST PAID QUARTER, INCREASING BENEFITS ALLOWED FOR PARTIAL UNEMPLOYMENT, PROVIDING BENEFITS IN CASES WHERE AN INDIVIDUAL LEAVES EMPLOYMENT FOR SPOUSAL RELOCATION OR HEALTH REASONS OR DUE TO AN UNDUE HARDSHIP, AUTHORIZING THE FORGIVENESS OF NONFRAUDULENT OVERPAYMENTS CAUSED BY AGENCY ERROR, AND ESTABLISHING A SHORT-TERM COMPENSATION PROGRAM TO BENEFIT EMPLOYERS AND EMPLOYEES.*

Section 1.1

Amends GS 96-14.2, changing the weekly benefit amount for total and partial unemployment. Now, provides for the weekly benefit amount for total unemployment to equal the wages paid to the individual in the highest paid quarter of the individual's base period divided by 26 and rounded to the next lower whole dollar (previously, was equal to the wages paid in the last two completed quarters of the individual's base period, divided and rounded as described). Also increases the cap for the weekly benefit amount from \$350 to \$445, and requires annual adjustment for increases in the consumer price index on January 1. Defines consumer price index and provides for adjustment procedures. Replaces the calculation of partial weekly benefit amounts as follows. Provides that if the total wages payable to an individual for less than full-time work performed in a week claimed exceed one-half of the individual's weekly benefit amount, the amount of wages that exceed one-half of the weekly benefit amount must be deducted from the benefits payable to the claimant (previously, reduced by the amount of any wages the individual receives in the benefit week in excess of 20% of the benefit amount applicable to total unemployment).

Applies to claims for unemployment insurance benefits filed on or after the act becomes law.

Section 2.1

Amends GS 96-14.3, eliminating the current duration parameters for unemployment benefits. Instead, establishes a standard maximum period of 26 weeks for any eligible individual entitled to receive unemployment benefits, unless expressly extended by state or federal law. Makes conforming changes to the total allowable benefits amount.

Applies to claims for unemployment insurance benefits filed on or after the act becomes law.

Section 3.1

Amends GS 96-14.8 to expand the reasons for leaving work provided which do not disqualify an individual for benefits, and which are not chargeable to the employer's account. Expands the provision related to domestic violence to add sexual offenses or stalking as offenses that would establish eligibility under this program. Adds instances where an individual leaves work due solely to their own or a family member's disability or other health condition, whether or not related to work, so long as the individual shows: (1) that the employee, a minor in the legal custody of the individual, a parent of the individual, or a member



of the individual's immediate family, who, at the time of leaving, was experiencing a disability or other health condition; (2) the individual gave the employer notice of the disability or health condition; (3) the individual's reason for leaving was directly related to the disability or health condition; and (4) the individual's employer did not offer alternate work, or the alternative work offered did not pay minimum wage or at least 85% of the individual's wage, whichever is greater. Adds instances where an individual leaves work or is unable to accept a particular shift due to inability to obtain child care for a minor under 14 years of age in the legal custody of the individual or care for a parent of the individual with a disability or serious health condition. Finally, adds instances where an individual leaves work to accompany a spouse to a new place of residence where the spouse has secured work in a location that is too far removed for the claimant reasonably to continue to work. Makes technical changes.

Applies to claims for unemployment insurance benefits filed on or after the act becomes law.

#### Section 4.1

Revises the repayments liabilities for overpayments stated in GS 96-18(g) to no longer include overpayment of unemployment benefits by the Division of Employment Security due to errors of Division representatives as a liability of the individual receiving the benefits.

Amends GS 96-18.1, adding a new subsection to prohibit charging any employer where unemployment benefits are paid as a result of a decision by the Division if the decision is ultimately reversed. Prohibits deeming such benefits paid to constitute overpayment under GS 96-18(g).

Applies to nonfraudulent overpayments pending before, accruing on or after the act becomes law.

#### Section 5.1

Enacts Article 6, Short-Time Compensation Program, 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 by the employer that any affected 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.

Provides for the provisions of Section 5.1 to become effective 60 days from the date the act becomes law and applies retroactively to claims arising, and to plans submitted, on or after April 15, 2023.

**Intro. by Woodard.**

[GS 96](#)

[View summary](#)

**[Business and Commerce, Employment and Retirement, Government, State Agencies, Department of Commerce, Department of Health and Human Services, Health and Human Services, Public Assistance](#)**

S 705 (2023-2024) [EQUITY IN JUSTICE ACT OF 2023](#). Filed Apr 6 2023, *AN ACT TO MAKE CRIMINAL JUSTICE, POLICING, AND JUVENILE JUSTICE REFORM, AND TO APPROPRIATE FUNDS*.

Part I.

Amends GS 17C-20 to open up eligibility for the Criminal Justice Fellows Program (Program) to all counties (was, tier one counties with a population of less than 125,000).

Appropriates \$663,579 in recurring funds for 2023-24 from the General Fund to the Department of Justice to be allocated to the Program for continued recruitment of qualified in-state high school seniors or unemployed/underemployed graduates and to provide them with a forgivable community college loan. Effective July 1, 2023.

Part II.

Amends GS 15A-401(d)(2), which sets out when a law-enforcement officer is justified in using deadly physical force, by making the following changes. Adds that the use of deadly force includes strangleholds, chokeholds, lateral vascular neck restraints, carotid restraints, or any other tactics that restrict oxygen or blood flow to the head or neck. Requires in all circumstances in which a law-enforcement officer uses force of any kind, that a law-enforcement officer use the minimum amount of force reasonably necessary to accomplish the law-enforcement action and attempt to use de-escalation tactics.

Enacts new GS 20-196.6 requiring every State Trooper to have a first aid kit and perform the following when a person in a State Trooper's custody is injured or complains of an injury: (1) render immediate, reasonable medical assistance when it is safe to do so and (2) contact emergency medical services when appropriate.

Enacts new GS 20-196.8 requiring the State Highway Patrol to use and submit all available data to the National Incident-Based Reporting System, which must be made available to the public on the State Highway Patrol's website.

Enacts new GS 20-196.10 requiring State Troopers to use body-worn and dashboard cameras in all interactions with members of the public, including, but not limited to: traffic stops, pursuits, arrests, searches, interrogations not covered under GS 15A-211, interviews with victims and witnesses, and interactions with inmates of a State correctional facility or local confinement facility. Specifies that this does not apply during undercover operations.

Enacts new GS 74E-10.1, GS 74E-10.5, and GS 74E-10.6 enacting the same provisions, applicable to a company police agency. Amends the specified instances in which body-worn and dashboard cameras are to be used to include arrests, searches, interrogations not covered under GS 15A-211, and interviews with victims and witnesses.

Enacts new GS 74G-10.1, GS 74G-10.3, and GS 74G-10.5 enacting the same provisions, applicable to a campus police agency. Amends the specified instances in which body-worn and dashboard cameras are to be used by including all interactions listed for State Troopers except interactions with inmates of a State correctional facility or local confinement facility.

Enacts new GS 143B-927.1, GS 143B-927.3, and GS 143B-927.5 enacting the same provisions, applicable to the SBI, with the following changes. Requires the SBI to make publicly available law enforcement officer use of force information requested by the Department of Justice pursuant to GS 114-2.7A (other entities in the Part have been required to report such information to the SBI).

Enacts new GS 153A-213 through GS 153A-213.5 enacting the same provisions, applicable to county law enforcement officers.

Enacts new GS 160A-290 through GS 160A-290.5, applicable to city law enforcement officers.

Effective October 1, 2023.

### Part III.

Amends GS 143B-919 by adding the following. Requires an independent entity to conduct the investigation under the statute involving employee of the SBI. Requires reporting an incident that the SBI would be required to investigate under this statute, within 24 hours; makes a law enforcement agency that fails to report ineligible for funds from the Governor's Crime Commission and the Governor's Highway Safety Program until the required report is delivered to the SBI. Repeated failure to report will result in ineligibility for those funds for two years. Requires prosecutions under these provisions to be performed by a Special Prosecutor. Effective October 1, 2023.

### Part IV.

Enacts new GS 114-2.7A requiring DOJ, in consultation with the Department of Public Safety, the North Carolina Sheriffs' Association, and the North Carolina Association of Chiefs of Police, to develop a uniform definition of law enforcement officer use of force and determine a standard set of data on use of force to be regularly reported to the SBI. Requires all law enforcement agencies in the state to provide the SBI with the information DOJ requires. Requires the SBI to make the information collected on use of force publicly available.

Enacts new GS 114-2.7B. requiring all law enforcement agencies in the state to use and submit all available data to the National Incident-Based Reporting System. Requires this data to be publicly available on the law enforcement agency's website.

Enacts new GS 114-2.7C to require all sworn law enforcement officers with the power of arrest to use body-worn and dashboard cameras in all interactions with members of the public, including, but not limited to: traffic stops, pursuits, arrests, searches, interrogations not covered under GS 15A-211, interviews with victims and witnesses, and interactions with inmates of a State correctional facility or local confinement facility. Specifies this does not apply during undercover operations. Gives the law enforcement entities until October 1, 2022, to comply with this section.

Effective October 1, 2023.

## Part V.

Amends GS 15A-242 by making clarifying changes.

Amends GS 15A-244 by adding in new (b) that for an officer to be able to break and enter any premises or vehicle in the execution of a search warrant pursuant to GS 15A-251(b) (when the officer has probable cause to believe that the giving of notice would endanger the life or safety of any person) the application for a search warrant must contain, in addition to the already required elements: (1) a statement that there is probable cause to believe that the giving notice of the execution of the search warrant would endanger the life or safety of any person; (2) allegations of fact particularly setting forth the facts and circumstances establishing probable cause to believe that the giving of notice of the execution of the search warrant would cause such endangerment. Makes additional clarifying changes.

Amends GS 15A-251 by amending one of the two circumstances under which an officer may break and enter any premises or vehicle when necessary to execute a warrant, to include when the warrant includes the statement and allegations of fact required by GS 15A-244(b) (was, when the officer has probable cause to believe that the giving of notice would endanger the life or safety of any person).

Makes clarifying changes to the following statutes and makes language gender neutral: GS 15A-245, GS 15A-246, GS 15A-247, GS 15A-249, GS 15A-253, GS 15A-254, and GS 15A-255.

Effective October 1, 2023.

## Part VI.

Appropriates \$134,540 in recurring funds for each year of the 2023-25 fiscal biennium from the General Fund to the Criminal Justice Education and Training Standards Commission to hire one full-time program manager to continue the development and implementation of the North Carolina Law Enforcement Accreditation Program (Program). Makes the same appropriation to the Sheriffs' Education and Training Standards Commission to continue the development and implementation of the same Program. Makes law enforcement agencies in the state that fail to become accredited under the Program ineligible for funds from the Governor's Crime Commission or the Governor's Highway Safety Program. Requires the Program to require accredited agencies to have written policies on each of the following: use of force, chokeholds, duty to intervene and report, vehicle pursuits, early warning systems, field training programs, and professional standards and conduct. Effective July 1, 2023.

## Part VII.

Appropriates \$500,000 from the General Fund to the Department of Justice in recurring funds for each year of the 2023-25 fiscal biennium for grants to organizations that provide and promote: (1) peaceful strategies to help communities promote public safety; (2) violence prevention programs that treat violence as a public health program; and (3) services such as mediation, mentoring, job training, and counseling to vulnerable populations. Effective July 1, 2023.

## Part VIII.

Amends GS 90-95(d)(4) making possession of a controlled substance classified in Schedule VI (marijuana and tetrahydrocannabinols) an infraction, rather than a Class 3 or Class 1 misdemeanor based on quantity. Maintains that if the quantity possessed exceeds one and one-half ounces of marijuana or three-twentieths of an ounce of hashish, or any quantity of synthetic tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of marijuana, the offense is punishable as a Class I felony. Effective December 1, 2023, and applies to offenses committed on or after that date.

Enacts GS 15A-145.8B to establish automatic expunction for misdemeanor possession of marijuana or hashish convictions by December 1, 2025. Directs the clerk of superior court to determine which cases meet the criteria for expunction, order expungement for each case finalized in his or her court, and forward the petition to the Administrative Office of the Courts (AOC). Provides for the effect of the expungement regarding liability for failure to acknowledge any expunged entries concerning apprehension, charge, or trial. Additionally requires the court to order the conviction order expunged to be expunged from the records of the court and direct law enforcement agencies bearing record of the same to expunge their records of the conviction. Requires the clerk to notify State and local agencies of the court's order pursuant to state law, excluding DNA records and samples stored as specified. Provides for expungement of related records from any other State or local government agency, and reversal of any administrative action taken against a person whose record is expunged as a result of the charges or convictions expunged. Effective December 1, 2023.

Part IX.

Directs the UNC-Chapel Hill School of Government (SOG) to study (1) which Class 3 misdemeanor offenses have a low impact on public safety, (2) whether the offenses should be reclassified as infractions, and (3) whether low-level traffic offenses should be moved to the Administrative Code and enforced as civil violations by the Division of Motor Vehicles or the Department of Public Safety. Requires consultation with the NC Sentencing and Policy Advisory Commission. Requires SOG to report to the specified NCGA committee by March 7, 2024.

Part X.

Appropriates \$4.2 million in recurring funds from the General Fund for each fiscal year of 2023-25 to AOC to be used to support the NC Drug Treatment Court Program in creating and sustaining local drug treatment court programs.

Appropriates \$4.2 million in recurring funds from the General Fund for each fiscal year of 2023-25 to AOC to be used to facilitate the creation and funding of new and existing mental health court programs to recommend mental health treatment plans for individuals served by the programs and monitor the progress of the individuals receiving treatment while remaining in the program.

Effective July 1, 2023.

Part XI.

Amends GS 7B-1501 and GS 143B-805 by amending the definitions of delinquent juveniles and undisciplined juveniles by increasing the minimum age of the juvenile from 10 to 12.

Repeals GS 7B-1903(f) effective four years from the date this act becomes law. Subsection f provides that if the court finds that there is a need for an evaluation of a juvenile for medical or psychiatric treatment under subsection (b) (which allows the court to order secure custody only where the court finds there is a reasonable factual basis to believe that the juvenile committed the offense as alleged in the petition, and that one of the specified circumstances exists) and that juvenile is under age 10 and does not have a pending delinquency charge, the law enforcement officer or other authorized person assuming custody of the juvenile must not use physical restraints during the transport of the juvenile to the place designated in the order, unless in the discretion of the officer or other authorized person, the restraints are reasonably necessary for the safety of the officer, authorized person, or the juvenile.

Amends GS 7B-2102 to require a law enforcement officer or agency to fingerprint and photograph a juvenile (was, a juvenile who was 10 years of age or older) at the time the juvenile allegedly committed a nondivertible offense, when a complaint has been prepared for filing as a petition and the juvenile is in physical custody of law enforcement or the Division. Makes additional conforming changes, including those conforming to the new definition of delinquent juvenile.

Makes conforming changes to GS 7B-2513.

Amends GS 7B-2509 to allow the court in any case in which a juvenile, who was at least 12 (was, at least 11) years old at the time of the offense, is adjudicated delinquent for committing a violation of GS 14-27.6 (attempted rape or sexual offense), GS 14-27.21 (first-degree forcible rape), GS 14-27.22 (second-degree forcible rape), GS 14-27.24 (first-degree statutory rape), GS 14-27.26 (first-degree forcible sexual offense), GS 14-27.27 (second-degree forcible sexual offense), or GS 14-27.29 (first-degree statutory sexual offense), the judge, upon a finding that the juvenile is a danger to the community, may order that the juvenile register in accordance with Part 4 of Article 27A of GS Chapter 14.

Part XII.

Enacts GS 115C-105.70, defining school resource officer (SRO) as any law enforcement officer assigned to one or more public schools within a public school unit for at least 20 hours per week for more than 12 weeks per calendar year. Provides that SROs are to assist with school safety, school security, emergency preparedness, emergency response, and any other related and assigned responsibilities, consistent with any written memorandum of understanding between the public school unit and the law enforcement agency governing the SRO. Directs the NC Criminal Justice Education and Training Standards Commission and the NC Sheriffs' Education and Training Standards Commission (Commissions) to establish initial training and continuing education standards for SROs, in collaboration with the Center for Safer Schools. Requires training on mental health, students with disabilities, racial equity, and crises intervention and de-escalation. Directs SROs to comply with the established training

standards within one year of assignment, and requires all SROs to comply with the established continuing education requirements. Applies to SROs assigned on or after January 1, 2024.

Makes conforming changes to each Commission's duties set forth in GS 17C-6 and 17E-4 to include the duty to establish training and continuing education standards for SROs. Requires the Commissions to establish initial training standards by January 15, 2024.

Requires all SROs assigned before January 1, 2024, to complete initial training by December 31, 2024.

Enacts GS 7B-1802A, requiring an SRO to obtain the signature of a school administrator or school social worker for school-based complaints alleging delinquency initiated prior to referring the complaint to a juvenile court counselor or filing the complaint. Defines school-based complaint as a complaint in which delinquency is alleged to have occurred on school grounds, school property, at a school bus stop, or at an off-campus school-sanctioned event, or whose victim is identified as a school. Requires all school administrators, SROs, and school social workers to be trained regarding these provisions. Applies to school-based complaints initiated on or after January 1, 2024, by an SRO.

### Part XIII.

Revises Part 2A, Article 81B, of GS Chapter 15A, now titling the Part as Sentencing and Parole Eligibility for Certain Minors (was Sentencing for Minors Subject to Life Imprisonment Without Parole).

Replaces the provisions of GS 15A-1340.19B, which provide for penalty determination, to instead provide as follows. Requires a defendant convicted of first degree murder who was under the age of 18 at the time of the offense to be sentenced to life imprisonment with parole and eligible for parole consideration after serving 25 years imprisonment (previously, the court was authorized to hold a hearing to order life imprisonment without parole). Adds that a defendant who was convicted of a crime other than first degree murder while the defendant was under 18 at the time of the offense and sentenced to more than 15 years imprisonment is eligible for parole consideration after serving 15 years imprisonment.

Amends GS 15A-1340.19D to provide that defendants eligible for parole consideration under Part 2A, as amended, are subject to the conditions and procedures for parole set forth in Article 85, including notifications required under GS 15A-1371(b)(3) (which includes notification of the victim's immediate family who have requested notification, and newspapers and media as reasonable). Sets the term of parole for a person released under Part 2A, as amended, at five years, which cannot be terminated earlier by the Post-Release Supervision and Parole Commission. Requires serving five years upon returning to confinement before a defendant paroled under the Part who violated parole and is returned to prison to serve the remainder of the sentence to be eligible for parole.

Makes conforming repeals of the remaining language in the Part in GS 15A-1340.19A and 15A-1340.19C.

Makes conforming changes to GS 15A-1340.13, which requires sentenced offenders to serve the minimum term imposed.

Amends GS 15A-1371, which provides for parole eligibility, consideration, and refusal, to deem a prisoner sentenced under the Fair Sentencing Act who was 18 at the time of the offense eligible for parole consideration after completion of 20 years imprisonment.

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

### Part XIV.

Amends GS 15A-534 to prohibit judicial officials from imposing a bond secured by a cash deposit as a condition of pretrial release pursuant to subdivision (a)(4) if no charge against the defendant is more severe than a Class 1, 2, or 3 misdemeanor, unless the judicial official makes written findings that the defendant will pose a danger of injury to any witness. Provides that when conditions of pretrial release are being imposed on a defendant who has failed to appear to answer one or more charges to which the conditions apply, and there are no conditions recommended in any order for arrest for the defendant's most recent failure to appear, that the judicial official must require the execution of secured appearance bond (no longer specifying that the bond amount must be at least double that of the most recent previous bond for the charges, or if not applicable, at least \$1,000). Makes clarifying and technical changes. Makes language gender-neutral. Applies to conditions of pretrial release imposed on or after October 1, 2023.

### Part XV.

Enacts GS 20-24.1(g) to require the Division of Motor Vehicles (Division) to restore a license 12 months after the effective date of revocation pursuant to subsection (a) for either failing to appear at trial or a hearing or to pay court-ordered fines, penalties, or other court costs for motor vehicle offenses; excludes revocation orders entered resulting from a charge of impaired driving. Repeals existing subsection (f), which permits application to a court for a limited driving privilege valid for up to one year for licenses revoked due to failure to pay court-ordered fines, penalties, or other court costs for motor vehicle offenses. Makes conforming and clarifying changes. Makes language gender-neutral.

Adds to GS 20-7 to authorize the Division to waive license restoration fees and other service fees if the Commissioner of Motor Vehicles finds that the license holder has shown good cause for not being able to pay the fine.

Directs the Division to automatically restore any driver's licensed suspended for failure to pay after 12 months, except for offenses involving impaired driving.

Effective October 1, 2023.

#### Part XVI.

Amends GS 15A-601 to specify any defendant charged with a misdemeanor under a magistrate's order or by criminal process who is held in custody to have a first appearance before a district court judge has the right to counsel. Requires a defendant's first appearance before a district court judge to be held at the earlier of the first regular session of the district court in the county or within 48 hours after the defendant is taken into custody (previously, alternatively within 72 hours after taken into custody). Makes conforming changes regarding the clerk's authority to conduct the first appearance if the district court judge is unavailable within this period. Adds that the defendant has the right to counsel at his or her first appearance before a district court judge for crimes in the original jurisdiction of superior court (governed by subsection (a)). Makes technical changes and language gender-neutral.

Further amends GS 15A-534 by Eliminating the provision governing the judicial official's authority regarding the determination of the conditions of pretrial release for a defendant who is charged with an offense who is currently on pretrial release for a prior offense.

Enacts GS 15A-534.8 to require a defendant who remains in custody due to imposed conditions of pretrial release following an initial appearance to be brought before a district court judge for a preventative detention hearing within five days of the initial appearance. Requires that the hearing be separate from the defendant's first appearance. Provides for counsel at the hearing, with counsel provided at the expense of the State if the defendant is found to be indigent. Provides for the defendant to present evidence and testimony at the hearing to determine whether the pretrial conditions are necessary to ensure the safety of any person, with the State given the opportunity to respond, present evidence, and examine witnesses. Requires a judge to set new conditions if the judge finds by clear and convincing evidence that the imposed conditions are not necessary to reasonably prevent injury to any person, or to make written findings as to why the continued detention is necessary if the judge does not rule in favor of the defendant, with conditions continued unless lawfully modified.

Effective October 1, 2023, and applies to conditions of pretrial release imposed on or after that date.

#### Part XVII.

Directs the Administrative Office of the Courts (AOC) to automatically enroll all criminal defendants into its court date reminder system. Requires criminal defendants to be allowed to opt out of the automatic enrollment by using a process developed by AOC, which must be developed and implemented by December 1, 2023. Effective December 1, 2023, and applies to criminal defendants arrested on or after that court date.

Enacts GS 15A-306 to require persons who fail to appear as required by a citation or other criminal process served pursuant to the Article to have 20 calendar days from the missed court date to contact the clerk of superior court to request a new court date. Mandates that such action requires the clerk to strike the person's failure to appear and any order for arrest or fines related to the failure to appear, and the clerk to provide a new court date in the case. Limits new court dates in criminal cases pursuant to these provisions to one. Effective October 1, 2023, and applies to failures to appear in court on or after that date.

#### Part XVIII.

Revises and expands the qualifications for indigent defense under GS 7A-451. Now provides for indigent defense in any case in which (1) a felony or misdemeanor is charged (was, limited to cases in which imprisonment, or a fine of \$500 or more, is

likely to be adjudged) or (2) for motions for appropriate relief if appointment of counsel is authorized by law and the defendant has been convicted of a felony, has been fined \$200 (was, \$500) or more, or has been sentenced to a term of imprisonment, among other existing eligibility criteria. Effective October 1, 2023.

Appropriates \$1.18 million in recurring funds from the General Fund to the Office of Indigent Defense Services, Private Assigned Counsel Fund, for each fiscal year of 2023-25 to fund the increased need of appointed counsel due to the expansion of eligibility. Effective July 1, 2023.

Part XIX.

Revises Article 1 of GS Chapter 9 regarding preparation of jury lists and drawing of panels as follows.

Amends GS 9-2, as amended, to require the jury commission to annually prepare a master list of qualified prospective jurors to serve on January 1 of the next year (previously provided for biennium lists, or upon request of the senior resident superior court judge, annually). Makes conforming changes.

Makes a clarifying change to GS 9-4 to refer to the clerk of superior court's duty to maintain the master jury list.

Makes conforming changes to GS 20-43.4 regarding the list of currently licensed drivers that must be provided by the Commissioner of Motor Vehicles (Commissioner) to each county jury commission, now annually. Now requires the list to include the driver's race. Enacts subsection (b1) to require the raw data of date of birth, sex, and race to be used to develop the list provided by the Commissioner to be made available for analysis by clerks of court, jury commissions, and the public. Makes conforming changes.

Further amends GS 9-2, enacting subsection (l) to require the data of date of birth, sex, and race to be compiled by each county as public records for master jury lists, lists of jurors summoned, lists of jurors that have served, lists of jurors that have been excused, lists of jurors that have been disqualified, and lists of jurors whose service has been deferred. Applies to lists prepared on or after October 1, 2023.

Part XX.

Enacts GS 153A-221.2 to subject local confinement facilities to the requirements of new Article 83A, GS Chapter 15A.

Part XXI.

Includes a severability clause.

**Intro. by Mohammed, Garrett, Murdock.**

[APPROP, STUDY, GS 7A, GS 7B, GS 9, GS 15A, GS 17C, GS 17E, GS 20, GS 74E, GS 74G, GS 90, GS 114, GS 115C, GS 143B, GS 153A, GS 160A](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency, Motor Vehicle, Court System, Administrative Office of the Courts, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Department of Justice, Local Government](#)

S 709 (2023-2024) [RETURNING CITIZENS READY TO WORK](#). Filed Apr 6 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF STATEWIDE LOCAL REENTRY COUNCIL SERVICES*.

Appropriates \$2,261,000 in recurring funds for 2023-24 from the General Fund to the Department of Adult Correction to be allocated in equal amounts to each of the 17 local reentry councils in the state to hire at each local reentry council one permanent, full-time Housing Support Specialist position and one permanent, full-time Support Specialist position.

Appropriates \$3,825,000 in recurring funds for 2023-24 from the General Fund to the Department of Adult Correction to be allocated in equal amounts to each of the 17 local reentry councils in the state to provide reentry rental assistance to individuals served by each council. Provides that these funds do not revert and will be available to each local reentry council to provide reentry rental assistance until the funds are expended.

Appropriates \$867,000 in recurring funds for 2023-24 from the General Fund to the Department of Adult Correction to be allocated in equal amounts to each of the 17 local reentry councils in the state to provide transportation vouchers to individuals on post-release supervision served by each council. Provides that funds do not revert and will be available to each local reentry council to provide transportation vouchers to individuals on post-release supervision until the funds are expended.

Appropriates \$140,000 in recurring funds for 2023-24 from the General Fund to the Department of Adult Correction to contract with Central Piedmont Community College and Fayetteville Technical Community College for the purpose of hiring one full-time Reentry Education Navigator position at each community college to serve the needs of justice-involved students.

Appropriates \$25,000 in nonrecurring funds for 2023-24 from the General Fund to the Department of Adult Correction to be allocated to the State Reentry Council Collaborative to develop online professional development modules focused on teaching State agencies, educational institutions, and other nongovernmental stakeholders how best to serve individuals with criminal records.

Effective July 1, 2023.

**Intro. by Mohammed, Bode, Murdock.**

**APPROP**

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections  
(Sentencing/Probation), Development, Land Use and Housing,  
Property and Housing, Government, Budget/Appropriations,  
State Agencies, Department of Adult Correction**

S 710 (2023-2024) **COMMUNITY SOLAR PROGRAM CHANGES**. Filed Apr 6 2023, *AN ACT TO REVISE THE SCOPE OF THE COMMUNITY SOLAR PROGRAM AND TO INCREASE THE NAMEPLATE CAPACITY OF COMMUNITY SOLAR ENERGY FACILITIES*.

Adds the following terms to the definitions section of state public utilities law (GS 62-126.3) *affordable housing unit, critical infrastructure, and Tier 1, 2, or 3 counties*. Amends GS 62-126.8 (pertaining to community solar energy facilities) as follows. Requires each offering utility to file a plan with the NC Utilities Commission (NCUC) and offer a community solar energy facility program for participation by its retail customers. customers in counties designated as Tier 1 or Tier 2, as annually determined by the North Carolina Department of Commerce, and affordable housing units in Tier 3 counties. So long as participating retail customers meet one such designation in the initial program year, they need not be recertified for subsequent program years. (Currently, just need to file a plan regarding solar energy facility program for retail customers.) Provides that the community solar energy facility program will be designed so that each community solar energy facility offsets the energy use of not less than five subscribers and no single subscriber has more than a 40% interest, except for community solar energy facilities that are connected to buildings designated as critical infrastructure and with the capability to support such buildings in the event of grid failure. Buildings designated as critical infrastructure may have up to a 75% interest in a community solar energy facility. (Currently, no exception for critical infrastructure exists.) Removes the nameplate generating capacity limits. Requires community solar energy facilities to be interconnected with the offering utility's distribution system. Deletes provisions limiting where the solar energy facilities must be located and just restricts it to the service territory of the offering utility. Deletes provisions requiring solar utility providers to credit subscribers at the avoided cost rate and replaces it with a just and reasonable rate determined by NCUC. Amends the solar energy facility program requirements to include a program implementation schedule to fully subscribe to the program as soon as possible and deletes hold harmless provisions. Specifies that existing community solar energy facilities may participate in the community solar energy facility program. Effective October 1, 2023.

**Intro. by Salvador, Woodard, Meyer.**

**GS 62**



S 711 (2023-2024) [FUEL GAS DETECTOR ACT](#). Filed Apr 6 2023, *AN ACT TO REQUIRE THE INSTALLATION AND MAINTENANCE OF FUEL GAS DETECTORS IN ROOMS CONTAINING AN APPLIANCE FUELED BY PROPANE, NATURAL GAS, OR ANY LIQUIFIED PETROLEUM GAS FOR CERTAIN RESIDENTIAL BUILDINGS.*

Amends GS 42-40 (definitions provision of State landlord/tenant law) to add definition of *fuel gas detector*. Makes technical and organizational changes. Amends GS 42-42 (fit premises) to require residential landlords to install a minimum of one operable fuel gas detector in every room of the premises containing an appliance fueled by propane, natural gas, or a liquified petroleum gas. Requires a landlord who acquires the premises to install fuel gas detectors within 30 days of acquisition if compliant fuel detectors are not already installed. At the beginning of each tenancy, specifies that the landlord must ensure that each fuel gas detector is in working order. The landlord must immediately replace or repair the fuel gas detector upon receipt of written notice of a deficiency with a fuel gas detector. Specifies that if the landlord does not have actual knowledge or has not been notified in writing of the need to repair or replace a fuel gas detector, then the landlord's failure to repair or replace the fuel gas detector must not be considered evidence of negligence in a subsequent civil action arising from death, property loss, or personal injury. Amends GS 42-43 (pertaining to tenant's responsibility to maintain dwelling units) to include fuel gas detectors to the list of things a tenant cannot destroy or must notify a landlord if there is a need for replacement or repairs. Additionally, specifies that a tenant must keep each fuel gas detector within the tenant's unit in working condition by keeping the fuel gas detector connected to the electrical service in the building or keeping charged batteries in a battery-operated fuel gas detector, testing the fuel gas detector periodically, and refraining from disabling the fuel gas detector. Specifies that a person does not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property, a closing agent, or a lender for damages resulting from the operation, maintenance, or effectiveness of a fuel gas detector installed in accordance with this Article. Provides for civil penalties in GS 42-44 ranging from \$250 to \$5,000 imposed by the State Fire Marshal. Authorizes the State Fire Marshal to waive a civil penalty upon satisfactory proof that the violation was corrected within 10 days after the issuance of a complaint of violation. Amends GS 42-51 (pertaining to security deposits) to authorize use of the deposit for damaged fuel gas detectors. Amends GS 143-138 (the State building code) to require the code to contain provisions requiring a building owner to install, in accordance with a fuel gas detector's manufacturer requirements, at least one fuel gas detector in every room containing an appliance fueled by propane, natural gas, or a liquified petroleum gas in (1) all multifamily residential buildings and (2) all single-family residential properties.

**Intro. by Murdock, Salvador.**

[GS 42, GS 143](#)

[View summary](#)

**Development, Land Use and Housing, Building and Construction, Property and Housing**

S 713 (2023-2024) [BUILD SAFER COMMUNITIES AND SCHOOLS ACT](#). Filed Apr 6 2023, *AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW ENFORCEMENT OFFICERS; TO APPROPRIATE FUNDS TO CREATE THE N.C. STAR PILOT PROGRAM TO PROVIDE GRANTS TO CITY AND TOWN POLICE DEPARTMENTS TO CREATE LOCAL SUPPORT TEAM ASSISTED RESPONSE (STAR) PILOT PROGRAMS; TO REINSTATE THE PISTOL PURCHASE PERMIT REQUIREMENT TO PURCHASE A PISTOL FOR PRIVATE SALES AND MAKE THE STATE BUREAU OF INVESTIGATION RESPONSIBLE FOR PERMITS; TO REQUIRE UNIVERSAL BACKGROUND CHECKS; TO STRENGTHEN SAFE STORAGE OF FIREARMS LAWS; TO PROVIDE A SALES TAX EXEMPTION FOR EQUIPMENT DESIGNED TO PREVENT UNAUTHORIZED PERSONS FROM ACCESSING FIREARMS; TO AUTHORIZE THE ISSUANCE OF AN EXTREME RISK PROTECTION ORDER TO RESTRICT TEMPORARILY A PERSON'S ACCESS TO FIREARMS IF THERE IS EVIDENCE THAT THE PERSON POSES A DANGER OF PHYSICAL HARM TO SELF OR OTHERS; TO ALLOW SCHOOLS TO CONTRACT FOR SCHOOL PSYCHOLOGIST SERVICES; AND TO CODIFY SCHOOL SAFETY GRANTS.*

Part I.

Requires the Department of Justice (DOJ) to assist law enforcement agencies seeking grant funds by alerting law enforcement agencies to available grant funds and assisting law enforcement agencies with drafting and submitting grant proposals and applications. Appropriates \$200,000 in recurring funds for each year of the 2023-25 biennium from the General Fund to DOJ to hire two full-time grant writers. Effective July 1, 2023.

Appropriates \$250,000 in recurring funds for each year of the 2023-25 fiscal biennium from the General Fund to DOJ to award grants to law enforcement agencies for initiatives supporting community policing. Effective July 1, 2023.

Appropriates \$500,000 in recurring funds for 2024-25 from the General Fund to DOJ to be used for grants: (1) provided to law enforcement agencies to be awarded to law enforcement officers exhibiting exemplary service and (2) awarded to law enforcement agencies for meeting racial or gender diversity benchmarks. Caps grant awards at \$10,000. Effective July 1, 2024.

Amends GS 15A-401(d), which sets out when a law-enforcement officer is justified in using deadly physical force, by making requiring in all circumstances in which a law enforcement officer uses force of any kind, that the law-enforcement officer use the minimum amount of force reasonably necessary to accomplish the law-enforcement action and attempt to use de-escalation tactics. Effective October 1, 2023.

Requires the Attorney General, in consultation with the North Carolina Sheriffs' Association and the North Carolina Association of Chiefs of Police, to develop uniform use-of-force policies that may be adopted by all law enforcement agencies in the state. Requires the policies to be submitted to the specified NCGA committee by December 1, 2024, published on DOJ's website, and distributed digitally to all law enforcement agencies in the state.

Amends GS 17C-6 to also give the North Carolina Criminal Justice Education and Training Standards Commission the power to (1) establish the minimum age requirement for qualification for entry level employment as a criminal justice officer, which must not be less than age 21; (2) establish minimum mental health screening protocols that must be met in order to qualify for entry level employment and retention as a criminal justice officer in temporary or probationary status or in a permanent position--requires standards for entry level employment to include a psychological screening within one year prior to certification; and (3) establish minimum annual mental health screening protocols for criminal justice officers, including additional screenings following a traumatic event.

Amends GS 17C-13 to allow the North Carolina Criminal Justice Education and Training Standards Commission access to a person's misdemeanor conviction records and allow the Commission to deny, suspend, or revoke a person's certification based solely on that person's conviction of four or more misdemeanors.

Amends GS 17E-4 to also give the North Carolina Sheriffs' Education and Training Standards Commission the power to (1) establish the minimum age requirement for qualification for entry level employment as an officer, which must not be less than age 21; (2) establish minimum mental health screening protocols that must be met in order to qualify for entry level employment and retention as an officer in temporary or probationary status or in a permanent position--requires standards for entry level employment to include a psychological screening within one year prior to certification; and (3) establish minimum annual mental health screening protocols for officers, including additional screenings following a traumatic event.

Amends GS 17E-12 to allow the North Carolina Sheriffs' Education and Training Standards Commission access to a person's misdemeanor conviction records and allow the Commission to deny, suspend, or revoke a person's certification based solely on that person's conviction of four or more misdemeanors.

The above provisions are effective January 1, 2024.

Appropriates \$1 million in recurring funds for each year of the 2023-25 biennium from the General Fund to the DOJ for grants to law enforcement agencies to pay for the required mental health screenings. Effective July 1, 2023.

Appropriates \$1 million in recurring funds for each year of the 2023-25 biennium from the General Fund to DOJ for grants to law enforcement agencies to temporarily provide funding for detectives or other investigative law enforcement positions in order to aid in the investigation of person crimes that would constitute a charge of a Class D felony or higher. Effective July 1, 2023.

Appropriates \$250,000 in recurring funds from the General Fund to the North Carolina Justice Academy for each year of the 2023-25 biennium to expand its ability to serve law enforcement agencies of the state by providing more opportunities to attend courses and trainings. Appropriates \$250,000 in nonrecurring funds from the General Fund to the North Carolina Justice

Academy for each year of the 2023-25 biennium to expand its ability to offer online courses for law enforcement agencies to allow for greater statewide participation in Academy courses and training. Effective July 1, 2023.

Requires the North Carolina Justice Academy and the North Carolina Community College System to develop a memorandum of understanding to allow community colleges to provide training and education to those trained and educated by the Academy to alleviate travel time and related costs. Requires the MOU to be submitted to the specified NCGA committee by October 1, 2023.

Appropriates \$250,000 in recurring funds from the General Fund to the DOJ for each year of the 2023-25 biennium to further develop, maintain, and staff the North Carolina Law Enforcement Accreditation Program. Effective July 1, 2023.

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

Amends GS 17C-22 to expand upon the Program's purpose to also include forgivable loans for obtaining a Bachelor's Degree or an NC Basic Law Enforcement Training Program certificate of completion. Expands term of eligibility to allow loans to be provided for up to four years (was, up to two years). Sets out requirements for recipients of loans for these degrees and certificates, including employment requirements post graduation. Makes conforming changes. Amends GS 17C-23 by making conforming changes to loan terms and disbursement of funds. Gives recipients up to 120 months to repay all funds distributed, including interest, received in pursuit of a Bachelor's Degree and 60 months for those in pursuit of an applied associate degree in Criminal Justice or Committee-approved field of study or Basic Law Enforcement Training Program certificate of completion.

Appropriates \$63,000 in recurring funds for each year of the 2023-25 biennium from the General Fund to the NC Criminal Justice Fellows Program to hire a full-time loan administrator. Effective July 1, 2023.

Amends GS 15A-401 to require the State's law enforcement agencies to designate specially trained law enforcement officers to be a part of an agency Crisis Intervention Team trained in determining whether a person is experiencing a mental or behavioral health crisis and what methods are available to de-escalate or otherwise safely engage in interactions with the person. Requires the establishment of the team by December 1, 2025, in order to remain eligible for Governor's Crime Commission grants.

Appropriates \$250 million from the General Fund to DOJ for 2023-24 for grants for the Crisis Intervention Team training. Effective July 1, 2023.

Appropriates \$500,000 for 2023-24 from the General Fund to the Criminal Justice Education and Training Standards Commission to implement the NC STAR Pilot Program. Specifies that the funds do not revert until June 30, 2025. Requires the Criminal Justice Education and Training Standards Commission to manage the NC STAR Pilot Program and develop guidelines and procedures to administer the program and distribute grants. Sets the purpose of the Program as helping city and town police departments provide alternative responses to citizens in crisis. Requires each local Support Team Assisted Response (STAR) program receiving a grant under the Program to allow for the response of behavioral and medical health personnel to nonviolent situations deemed appropriate by the city or town police department. Requires, at least, that those responding to citizens on behalf of each local STAR program be equipped to provide individuals with information regarding shelter, food aid, counseling, and medication. Makes all city and town police departments in the State are eligible for grants. Sets out required grant application information and criteria to be used when awarding grants. Caps grant amounts at \$50,000 per eligible grant recipient. Sets out the amount that may be used for Program administration. Requires the Criminal Justice Education and Training Standards Commission, in consultation with each police department receiving N.C. STAR Pilot Program funds, to report to the specified NCGA committee in 2024, 2025, and 2026 on the specified items related to local STAR programs. Effective July 1, 2023.

## Part II.

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

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

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

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

If H 50 (Pistol Purchase Permit Repeal) or substantially similar legislation becomes law, adds new Article 53D, Universal Background Check, to GS Chapter 14, providing as follows. Prohibits a federally licensed firearm dealer from selling, transferring, or delivering a firearm to a private person without conducting a background check that includes verifying the private person's identity by examining a government-issued identification card and conducting a check through the National Instant Criminal Background Check System. Makes it illegal for the following person to possess a firearm: (1) under an indictment or information for, or has been convicted in any state or in any court of the United States of, a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade); (2) fugitive from justice; (3) unlawful user of or addicted to marijuana or any depressant, stimulant, or narcotic drug; (4) adjudicated mentally incompetent or has been committed to any mental institution; (5) alien illegally or unlawfully in the United States; (6) discharged from the US Armed Forces under dishonorable conditions; (7) has renounced his or her US citizenship; (8) subject to a court order that was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate, that restrains the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, and that includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury. Makes it illegal for a federally licensed firearm dealer to sell, transfer, or deliver a firearm to another person if the background check reveals that possession by the person would violate the law or if the dealer knows or has reason to know that the person is prohibited from possessing a firearm. Specifies that a transferor is not prevented from removing a firearm from the licensed dealer's premises if the background check indicates that the transferee is prohibited from possessing or receiving firearms. Makes it a Class F felony for a federally licensed firearm dealer to sell, transfer, or deliver a firearm to a person in violation of this Article, or any person to provide materially false information to the dealer with the intent of illegally obtaining a firearm.

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

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

Amends GS 105-164.13 by exempting from sales tax equipment designed to prevent unauthorized access to firearms, including a device designed to prevent the firearm from being operated without first deactivating the device, or a gun safe, case, lock box, or other device designed to prevent access to a firearm by any means other than a key, a combination, biometric data, or similar means. Applies to sales made on or after October 1, 2023.

Enacts new GS Chapter 50E, the Extreme Risk Protection Orders Act, providing a court procedure for concerned citizens and law enforcement to obtain an order temporarily restricting a person's access to firearms in situations where a person poses a

significant danger of harming themselves or others by possessing a firearm. Includes related legislative findings. Sets out defined terms applicable to the Chapter.

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

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

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

Sets forth the required information that must be included in an ERPO, including (1) a statement of the grounds supporting its issuance; (2) the date and time the ERPO was issued and when it expires; (3) whether a mental health or chemical dependency evaluation of the respondent is required; (4) the court's address where a responsive pleading can be filed; (5) a description of the relinquishment and retrieval requirements for firearms, ammunition, and related permits of the respondent; (6) a description of the process for seeking termination of the ERPO; and (7) a statement that violation of the ERPO is a Class A1 misdemeanor.

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

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

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

law. Provides for motion for return by a third party. Authorizes disposal of surrendered firearms that have not been or cannot be returned as specified.

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

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

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

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

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

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

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

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

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

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

Effective December 1, 2023.

### Part III.

Amends GS 115C-47 by amending the local boards of education duties related to school psychologists to now require that each local school administrative unit staff at least one full time (was, employs at least one full time, permanent) school psychologist. Adds that if the board is unable to find a qualified school psychologist to hire full-time, then the position allocation for the psychologist may be converted to a dollar equivalent for the board to contract with a third party to provide school psychologist services for an amount of hours equivalent to a full-time school psychologist employee.

Enacts new GS 115C-105.62, providing as follows. Requires the Superintendent of Public Instruction to establish the School Safety Grants Program (Program) to improve safety in public school units by providing grants for services for students in crisis, school safety training, and safety equipment in schools. Sets out what is to be included in a grant application and allows a public school unit to apply for one or more grants. Sets out items to be considered when awarding grants. Sets out the following categories of grants. Requires awarding grants to public school units in contract with community partners (as defined) to provide or pay for the provision of the specified crisis services. Requires awarding grants to public school units in

contract with community partners (as defined) to address school safety by providing training to help students develop healthy responses to trauma and stress, including the specified services. Requires awarding grants to public school units (and charter schools) for (1) the purchase of safety equipment for school buildings and (2) training associated with the use of this safety equipment, with priority given to the purchase of specified types of safety equipment. Specifies that these grants supplement and not supplant funds already provided for these purposes. Allows the Superintendent to retain up to \$100,000 per fiscal year for administrative costs. Requires the Superintendent to report annually on the Program to the specified NCGA committees and division; specifies what is to be included in the report. Requires applications for the Program to be available by August 1, 2023. Appropriates \$20 million from the ARPA Temporary Savings Fund to the Department of Public Instruction for each year of the 2023-25 biennium to fund the Program and states the NCGA's intent to fund the Program with recurring funds beginning with the 2025-27 biennium. Effective July 1, 2023.

Part IV.

Includes a severability clause.

**Intro. by Murdock, Bode, Adcock.**

[APPROP, GS 14, GS 15A, GS 15C, GS 17C, GS 17E, GS 50E, GS 105, GS 115C, GS 122C](#)

[View summary](#)

[Courts/Judiciary, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Public Records and Open Meetings, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, Department of Health and Human Services, Department of Justice, Department of Public Instruction, Tax, Health and Human Services, Mental Health](#)

S 714 (2023-2024) [AN ENERGY RESILIENT NC](#). Filed Apr 6 2023, *AN ACT TO DIRECT THE STATE ENERGY OFFICE TO CARRY OUT A GRANT PROGRAM TO IMPROVE THE ENERGY RESILIENCE, ENERGY DEMOCRACY, AND ENERGY SECURITY OF COMMUNITIES AND TO PROVIDE FUNDS FOR THE PROGRAM.*

Titles the act as the "Energy Resilient Communities Act." Enacts new Part 32A, North Carolina Energy Resilient Communities, in Article 7 of GS Chapter 143B, providing as follows. Establishes the Energy Resilient Communities Fund (Fund) in the Department of Environmental Quality's State Energy Office (Office), to provide local governments with grants to help them achieve their sustainability goals through planning and implementation of clean energy projects that equitably advance energy efficiency, renewable energy, and related priorities. Allows for technical assistance grants of not more than \$50,000 per local government; outreach, engagement, and planning grants of no more than \$25,000 per local government; and grants for projects to develop and construct a clean energy microgrid that supports critical community infrastructure of no more than \$150,000 per local government. Sets out a prioritization process that the Office must use in awarding grants. Requires local governments to match grant funds on the basis of one non-State dollar for every three dollars provided from grant funds. Allows the Office to retain a specified amount for administrative costs. Requires the Office to report annually to the specified NCGA commission and division on the commitment, disbursement, and use of funds allocated from the Fund.

Appropriates \$1 million for 2023-24 and \$3 million for 2024-25 from the General Fund to the Office for the Fund. Effective July 1, 2023.

**Intro. by Salvador, Murdock, Woodard.**

[APPROP, GS 143B](#)

[View summary](#)

[Environment, Energy, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality \(formerly DENR\), Local Government](#)

S 715 (2023-2024) [FUND DRUG TREATMENT/MENTAL HEALTH COURTS](#). Filed Apr 6 2023, *AN ACT TO CREATE AND SUPPORT LOCAL DRUG TREATMENT COURT PROGRAMS AND MENTAL HEALTH COURT PROGRAMS AND TO APPROPRIATE FUNDS*.

Appropriates \$4.2 million in recurring funds for each year of the 2023-25 biennium from the General Fund to the Administrative Office of the Courts to support the work of the North Carolina Drug Treatment Court Program in creating and sustaining drug treatment court programs.

Appropriates \$4.2 million in recurring funds for each year of the 2023-25 biennium from the General Fund to the Administrative Office of the Courts for the creation and funding of new and existing mental health court programs serving those with a mental health diagnosis or treatment history who are defendants in the criminal justice system. Requires the courts to recommend mental health treatment plans for individuals served by the programs and monitor their progress.

Effective July 1, 2023.

**Intro. by Mohammed, Robinson.**

[APPROP](#)

[View summary](#)

[Courts/Judiciary, Court System, Administrative Office of the Courts, Government, Budget/Appropriations](#)

S 719 (2023-2024) [REVISE ANIMAL CRUELTY LAWS](#). Filed Apr 6 2023, *AN ACT TO PROVIDE THAT CRUELTY TO ANIMALS INCLUDES THE FAILURE TO PROVIDE ADEQUATE SPACE OR SHELTER*.

Amends GS 14-360, concerning cruelty to animals, as follows. Expands upon the offense to also make it a Class 1 misdemeanor to deprive an animal of adequate shelter or adequate space or to cause any animal to be deprived of the same. Adds and defines the terms adequate shelter, adequate space, freedom of movement, extreme weather, and lawful hunt. Adds to the exclusions from the offense under the statute the use of a dog in a lawful hunt. Makes additional clarifying changes. Effective December 1, 2023, and applies to offenses committed on or after that date.

**Intro. by Woodard.**

[GS 14](#)

[View summary](#)

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

S 720 (2023-2024) [REENACT EDUCATIONAL SALES TAX HOLIDAY](#). Filed Apr 6 2023, *AN ACT TO REENACT THE SALES AND USE TAX HOLIDAY FOR SCHOOL SUPPLIES*.

Reenacts GS 105-164.13C, as title indicates. Applies to sales made on or after July 1, 2023.

**Intro. by Mohammed, Lowe.**

[GS 105](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Tax](#)

S 721 (2023-2024) [UNIFORM WORKER CLASSIFICATION ACT](#). Filed Apr 6 2023, *AN ACT TO ENACT THE UNIFORM WORKER CLASSIFICATION ACT*.

Adds new Article 24, Uniform Worker Classification Act, to GS Chapter 95, providing as follows. Sets out NCGA findings and states the Article's purpose. Classifies a person as an independent contractor if any of the following are met: (1) the person



signs a written contract with the principal stating the principal's intent to retain the person's services as an independent contractor and contains acknowledgements that the person understands that the person is providing services for the principal as an independent contractor, not going to be treated as an employee of the principal, not going to be provided by the principal with either worker's compensation or unemployment compensation benefits, is obligated to pay all applicable taxes, is responsible for the majority of supplies and other variable expenses that the person incurs in connection with performing the contracted-for services unless the expenses are for travel that is not local, the expenses are reimbursed under an express provision of the contract, or the supplies or expenses reimbursed are commonly reimbursed under industry practice; (2) the person has either filed, intends to file, or is contractually required to file an income tax return for a business or for earnings from self-employment; (3) the person provides services through a business entity or through a registered sole proprietorship; (4) with the exception of the exercise of control by the party that engages the worker necessary to ensure the worker's compliance with obligations required by a governmental or regulatory entity, or to protect persons or property, or to protect a franchise brand, the worker has the right to control the manner and means by which the work is done even though he or she may not have control over the final result of the work; (5) the person satisfies three or more of nine specified criteria, including the person controls where the services are performed except for those that can only be performed at specific locations, the person is free to exercise independent initiative in soliciting others to purchase his or her services, the person cannot be required to perform additional services without a new or modified contract, or the person is responsible for maintaining and bearing the costs of any required business licenses, insurance, certifications, or permits required to perform the services. Classifies workers who do not meet the above conditions as employees. Specifies that nothing above requires a party engaging a worker to classify a worker who meets the criteria above as an independent contractor; allows the party engaging the worker to hire the worker as an employee. Prohibits a city, county, municipality, unincorporated community, township, special district, airport authority, port authority, or other local political subdivision of the State from adopting any law, ordinance, regulation, code, charter, regulation, or other guidance in conflict with the new Article. Sets out exemptions. Includes a severability clause.

Amends GS 143-786 by making the provisions of new Article 24 applicable in GS Chapter 143's Article 83, Employee Fair Classification Act. Makes conforming changes.

Effective July 1, 2023.

**Intro. by Moffitt, Hanig.**

**GS 95, GS 143**

[View summary](#)

**Employment and Retirement**

**S 726 (2023-2024) UP SHP PAY & DEATH BENEFITS/DEATH PENALTY.** Filed Apr 6 2023, *AN ACT INCREASING THE PAY AND DEATH BENEFITS OF MEMBERS OF THE STATE HIGHWAY PATROL KILLED OR MURDERED IN THE LINE OF DUTY AND REQUIRING THAT A JURY DECIDE THE DEFENDANT'S SENTENCE IN EVERY CASE INVOLVING THE MURDER OF A LAW ENFORCEMENT OFFICER.*

#### Section 1

Enacts GS 143-166.3(a1) to provide that on and after July 1, 2021, when any covered person under the Public Safety Employees' Death Benefits Act, Article 12A, who is a member of the State Highway Patrol is killed in the line of duty, in addition to the \$100,000 award set forth in subsection (a), the Industrial Commission is required to award a death benefit of \$900,000 to be paid to the surviving spouse, the dependent child or children, the surviving dependent parent(s), or the estate of the deceased covered person (in order of distribution, only moving to the next category of persons if the preceding is not applicable, with first rights to the surviving spouse). Makes conforming changes.

Appropriates \$600,000 in recurring funds for each fiscal year of 2023-25 from the General Fund to the Department of State Treasurer to pay benefits provided under Article 12A of GS Chapter 143, as amended.

Effective July 1, 2023, and applies to qualifying deaths occurring on or after that date.

#### Section 2

Enacts GS 15A-2001(b1) to bar the State from agreeing to accept a sentence of life imprisonment if the defendant enters a guilty plea to first degree murder in a case involving the murder of a law enforcement officer, employee of the Department of Adult Correction or the Division of Juvenile Justice of the Department of Public Safety, Division of Juvenile Justice, jailer, firefighter, judge or justice, former judge or justice, prosecutor or former prosecutor, juror or former juror, or witness or former witness against the defendant, while engaged in the performance of the person's official duties or because of the exercise of the person's official duty. Permits jury recommendation as to the appropriate sentence pursuant to GS 15A-2000. Effective December 1, 2023.

Section 3 includes a severability clause.

Section 4 provides a standard effective date provision.

**Intro. by Burgin.**

[APPROP, GS 15A, GS 143](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Adult Correction, Department of Public Safety, Department of State Treasurer, State Government, State Personnel](#)

S 727 (2023-2024) [CFSS GUN PRSNT. FOR GRADE 7 AND 9 STUDENTS](#). Filed Apr 6 2023, *AN ACT TO REQUIRE THE CENTER FOR SAFER SCHOOLS TO DEVELOP A PRESENTATION ON THE CONSEQUENCES OF GUN USE AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE THE PRESENTATION TO ALL STUDENTS IN GRADE SEVEN AND GRADE NINE IN PUBLIC SCHOOL UNITS.*

Amends GS 115C-105.57 (pertaining to the Center for Safer Schools [Center]) to require the Center to develop and update, as necessary, an interactive presentation on the legal, medical, and emotional consequences of youth gun possession, substance abuse, gun violence, and gun safety for students in grade seven and grade nine. Specifies that the Center must provide training and materials for the presentation to all local school administrative units and must provide training and materials to any other public school unit which requests to voluntarily give the presentation. Amends GS 115C-47 (pertaining to the powers and duties of local boards of education) to require each school administrative unit to provide a presentation on the consequences of gun use in line with the requirement set forth above. Specifies required notice provision to parents, and allows parents to opt their student out of the presentation. Appropriates \$900,000 from the General Fund to the Department of Public Instruction in recurring funds for the 2023-24 fiscal year for the Center to provide training and materials to enable local school administrative units and other voluntary public school units to give a presentation on the consequences of gun use to students in grade seven and grade nine. Effective July 1, 2023, and applies beginning with the 2024-25 school year.

**Intro. by Burgin.**

[APPROP, GS 115C](#)

[View summary](#)

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

S 728 (2023-2024) [FIREFIGHTER PENSION INCREASE](#). Filed Apr 6 2023, *AN ACT TO INCREASE ELIGIBLE FIREFIGHTERS' RETIREMENT FROM ONE HUNDRED SEVENTY DOLLARS TO TWO HUNDRED DOLLARS, TO INCREASE CONTRIBUTIONS FROM TEN DOLLARS TO TWENTY DOLLARS, AND TO PROVIDE AN INFLATIONARY FACTOR FOR FUTURE DISBURSEMENTS.*

Amends GS 58-86-35, GS 58-86-40, and GS 58-86-45, increasing monthly member payments to the NC Firefighters' and Rescue Squad Workers' Pension Fund (Pension Fund) from \$10 to \$25 as it applies to new and current members and workers seeking retroactive membership.

Amends GS 58-86-55, increasing the monthly pension to eligible members, including disabled members, beneficiaries, and retired firefighters from \$170 to \$200 monthly. Makes conforming changes, including changes regarding increased monthly member contributions. Adds that effective January 1, 2024, the monthly payment amount a member is entitled to receive is increased on January 1 of each year by the percent change between the June Consumer Price Index in the prior fiscal year and the fiscal year most recently ended, so long as the percent change is positive.

Effective January 1, 2024, and applies to monthly payments due from, and monthly benefits owed to, members of the Pension Fund on or after that date.

Appropriates \$255 million from the General Fund to the State Treasurer for the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund to increase the amount of eligible firefighters' pension. Effective July 1, 2023.

**Intro. by Burgin.**

[APPROP, GS 58](#)

[View summary](#)

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

S 730 (2023-2024) [OPT-OUT OF BAN ON FNS/TANF BENEFITS](#). Filed Apr 6 2023, *AN ACT TO ALLOW THE STATE TO FULLY OPT-OUT OF THE PROHIBITION ON FOOD AND NUTRITION SERVICES AND TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS FOR INDIVIDUALS CONVICTED OF FELONIES TO BETTER ENABLE THOSE INDIVIDUALS TO LIVE SUCCESSFUL, PRODUCTIVE LIVES.*

Amends GS 108A-25.2 to allow individuals who are eligible to participate in the Work First Program or the food and nutrition services program to be exempt from the specified provisions of federal law that would make that person ineligible for these types of assistance and prohibits a person from being denied assistance from either program solely because the individual has been convicted of a drug-related felony or felonies so long as the person has met one of the following conditions: (1) if in custody, the person is eligible immediately upon release if they can demonstrate successful completion of a substance abuse treatment program while in custody or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority or (2) if not in custody, immediately after the date of conviction if they can demonstrate successful completion of or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority. (Currently exemption is only available to individuals convicted of Class H or Class I controlled substance felonies, no option to complete a substance abuse program while in custody, and there is a six-month wait time after either release from custody or date of conviction if not in custody for eligibility).

Makes conforming changes to the section title. Effective January 1, 2024.

**Intro. by Burgin, Mayfield, Britt.**

[GS 108A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Health and Human Services, Social Services, Public Assistance](#)

S 731 (2023-2024) [SHINE LIKE HAILEY PARADE SAFETY ACT](#). Filed Apr 6 2023, *AN ACT TO ENACT THE "SHINE LIKE HAILEY PARADE SAFETY ACT" BY AMENDING THE MOTOR VEHICLE LAWS OF THE STATE TO IMPOSE SAFETY REQUIREMENTS FOR OPERATION OF A PARADE VEHICLE.*

Names the Act the "Shine Like Hailey Parade Safety Act." Enacts new GS 20-157.2, pertaining to parade vehicles. Requires persons managing, conducting, or sponsoring a parade in a municipality with a population of 35,000 or more to obtain a permit that meets the following requirements: (1) that, no earlier than seven days before the date of the parade, the police department or fire department inspects each motor vehicle for safety and verifies that the vehicle is registered and insured; and (2) the

operator of the motor vehicle is at least 25 years of age and has a valid drivers license. Permits municipalities with a population of less than 35,000 to include the same requirements for a parade permit. Makes conforming changes to GS 20-169 (powers of local authorities).

**Intro. by Bode.**

**GS 20**

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Government, Public Safety  
and Emergency Management, Local Government,  
Transportation**

S 733 (2023-2024) **IDENTITY THEFT PROTECTION ACT/CHANGES**. Filed Apr 6 2023, *AN ACT AMENDING THE IDENTITY THEFT PROTECTION ACT*.

Amends the definition of *security breach* under the Identity Theft Protection Act (Act) to specify that any determination that illegal use has not occurred or is not reasonably likely to occur or that no material risk of harm is created must be documented and maintained for at least three years. Amends GS 75-65 (protection of security provisions) as follows. Deletes the notice provisions required after a breach under GS 75-65(a) and replaces those requirements with the following before-breach requirements and after-breach notifications: (1) the business must implement and maintain reasonable security procedures and practices, appropriate to the nature of the personal information and the size, complexity, and capabilities of the business, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure; (2) provide notice to all persons affected by a security breach as soon as practicable, but not later than 45 days after discovery of the breach or reason to believe a breach has occurred in accordance with this section; and (3) provide notice to the Consumer Protection Division (CPD) of the Attorney General's Office that there has been a security breach as soon as practicable, but not later than 45 days after discovery of the breach or reason to believe a breach has occurred. Specifies that this information is not a public record under State public records law. Permits the CPD to request certain information. Specifies that personal information does not include (1) electronic identification numbers or electronic mail names or addresses unless it includes any required security code, access code, or password that would allow access to an individual's financial account or resources or other personal information, as defined in this section, (2) internet identification names, (3) a parent's legal surname prior to marriage, or (4) a password, unless the business is aware that this information would permit access to a person's financial account or resources or other personal information, as defined in this section. Sets forth form of notice.

Amends GS 75-65(c) to require a business send out the required notices within five days (currently, without unreasonable delay) after a law enforcement agency communicates to the business that it has determined that notice will no longer impede an investigation or impact national/homeland security. Amends GS 75-65(e) to specify that electronic communications can only be provided to persons with whom a business regularly conducts electronic business, in addition to those who have agreed to receive email communications. Deletes the provision setting out requirements for when a business sends out a notice to more than 1,000 people at one time. Specifies that if a person/agency is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended and with regulations promulgated under that act then the person is deemed to be in compliance with GS 75-65. Specifies that if the person/agency must provide notice under HIPAA, they must also send notice to CPD. Requires a consumer reporting agencies who experience a security breach to offer to provide appropriate identity theft prevention and mitigation services such as credit monitoring at no cost to the consumer for not less than 24 months. Specifies that the consumer reporting agency must provide the consumer with information necessary to take advantage of the offer. Makes conforming changes. Requires businesses that know or have reason to know that a security breach includes a person's social security number to provide credit monitoring services at no cost to the affected persons for at least 24 months. Prevents a consumer reporting agency from knowingly offering a paid product to prevent unauthorized access or restrict access to a consumer's credit unless, at the time of the transaction, the consumer reporting agency (1) notifies the consumer of the availability of obtaining a security freeze without charge and (2) provides information to the consumer on how to obtain a security freeze. Deletes definition of personal information under GS 75-66 and instead lists the specified exclusions from personal information specified above.

Enacts new GS 75-67, pertaining to consumer report consent, which prevents a person from obtaining, using, or seeking the consumer report or credit score of a consumer in connection with an application for credit unless the user obtains the written, verbal, or electronic consent of the consumer.

Amends the term *identifying information* as used in the criminal definition of identity theft to include (1) health insurance policy number, subscriber identification number, or any other unique identifier used by a health insurer or payer to identify the person; and (2) any information regarding the individual's medical history or condition, medical treatment or diagnosis, or genetic information, by a health care professional, in addition to the other types of information listed.

**Intro. by Chaudhuri, Mohammed, Marcus.**

**GS 14, GS 75**

[View summary](#)

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

S 734 (2023-2024) [CONSTITUTION QUOTE AT SCHOOL ENTRANCES](#). Filed Apr 6 2023, *AN ACT TO REQUIRE DISPLAY OF SECTION ONE OF ARTICLE IX OF THE NORTH CAROLINA CONSTITUTION AT THE ENTRANCE TO ALL ELEMENTARY AND SECONDARY SCHOOLS*.

Amends GS 115C-47(29a), pertaining to the responsibilities of a local board of education ("local boards") to require display of certain items at public schools as follows. Requires local boards to require that each school prominently display inside each school building's main entrance, the following quote from the State constitution: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools, libraries, and the means of education shall forever be encouraged." Also specifies that the schools should provide age appropriate instruction on the US and State constitutions, in addition to the other matters listed in GS 115C-47(29a). Requires the State Board of Education (GS 115C-12), charter schools (GS 115C-218.80), regional schools (GS 115C-238.66), the NC School of the Arts (GS 116-69.1), the NC School of Science and Mathematics (GS 116-235), and nonpublic schools operating under Article 39 of GS 115C (GS 115C-567) to adopt policies to implement GS 115C-47(29a). Makes technical, conforming, and organizational changes.

Appropriates from the General Fund to the Department of Public Instruction \$25,000 in nonrecurring funds for the 2023-2024 fiscal year to implement the requirements of the act, including to fund the purchase of supplies for students to create displays or to fund the purchase of mounted plaques. Effective July 1, 2023, and applies beginning with the 2024-2025 school year.

**Intro. by Hanig, Moffitt.**

**GS 115C, GS 116**

[View summary](#)

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

S 735 (2023-2024) [REDUCE PARENT COPAYS/SUBSIDIZED CHILD CARE](#). Filed Apr 6 2023, *AN ACT TO REDUCE PARENT COPAYMENTS FOR SUBSIDIZED CHILD CARE*.

Amends Section 9C.4 of SL 2021-180 by reducing the parent copayment amounts for subsidized child care by requiring fees to be based on 5% of gross family income instead of 10%.

States the intent of the General Assembly to use a portion of the anticipated increase in funds to the Child Care and Development Fund Block Grant to supplement funding for the copayment decrease described in this act.

Effective July 1, 2023.

**Intro. by Mohammed, Batch, Murdock.**

**UNCODIFIED**

[View summary](#)

**Health and Human Services, Social Services, Child Welfare,  
Public Assistance**

S 738 (2023-2024) [TAX DEDUCTION FOR CERTAIN MORTGAGE INCOME](#). Filed Apr 6 2023, *AN ACT TO ALLOW BANKS TO EXCLUDE INTEREST, FEES, AND PENALTIES RECEIVED FROM CERTAIN LOANS FROM THE TOTAL RECEIPTS CALCULATION IN THIS STATE FOR THE INCOME YEAR.*

Amends GS 105-130.4B, pertaining to market-based sourcing for banks under the corporate income tax to exclude the following from the definition *loan secured by real property*: (1) loans secured by agricultural land defined under the State tax code and (2) loans secured by a single-family residence that is the principal residence of the occupant under the State tax code and (i) is located in the State in a rural area as defined by USDA; (ii) is not within a metropolitan statistical area; (iii) has a population of 2,500 or less, based upon the most recent Certified County Population Estimates from the State Demographer in the Office of State Budget and Management. Effective for taxable years beginning on or after January 1, 2023.

**Intro. by Barnes, Craven.**

[GS 105](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Development, Land Use and Housing, Property and Housing, Government, Tax](#)

S 740 (2023-2024) [FULLY FUND SCHOOL PSYCHOLOGISTS & COUNSELORS](#). Filed Apr 6 2023, *AN ACT TO FULLY FUND SCHOOL PSYCHOLOGIST AND SCHOOL COUNSELOR POSITIONS PER THE LEANDRO COMPREHENSIVE REMEDIAL PLAN.*

Appropriates \$297 million in recurring funds for the 2023-2024 fiscal year from the General Fund to the Department of Public Instruction to increase the Instructional Support Allotment. Requires the funds to be used for the following: (1) at least one school psychologist for every 700 students and (2) at least one school counselor for every 250 students. Effective July 1, 2023.

**Intro. by Mohammed, Mayfield, Murdock.**

[APPROP](#)

[View summary](#)

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

S 742 (2023-2024) [REVISE RULES/NC PRE-K LICENSURE CREDENTIALS](#). Filed Apr 6 2023, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SEEK REVISIONS TO CHILD CARE LICENSURE RULES TO PROVIDE ADDITIONAL OPTIONS FOR ADMINISTRATORS AND TEACHERS TO MEET LICENSURE REQUIREMENTS IN THE NC PREKINDERGARTEN (NC PRE-K) PROGRAM.*

Requires the Department of Health and Human Services, Division of Child Development and Early Education (Division), to collaborate with the Child Care Commission to implement revisions to rules to provide additional options for meeting the requirements for licensure for the following matters: (1) site level administrator's licensure and credentials (allowing certain credentialed administrators for Pre-K sites that have been established for four or more years); (2) lead teachers in NC Pre-K classrooms (allowing either of the following two additional options: (i) an individual with an AAS degree in early childhood education and five years of child care experience teaching young children so long as the person is working towards a birth through kindergarten license or (ii) individual with an AAS degree and five years of child care experience teaching young children); (3) rated license/education for administrators (allowing for certain credentials and experience at the seven point level); and (4) rated license/education for lead teachers (requiring all lead teachers to have a NC Early Childhood Credential (NCECC) and to provide further options based on education and experience at the five point, six point, and seven point levels).

**Intro. by Jarvis.**

S 743 (2023-2024) [TRANSFORMATIONAL INVESTMENTS IN NC HEALTH](#). Filed Apr 6 2023, *AN ACT MAKING TRANSFORMATIONAL INVESTMENTS IN NORTH CAROLINA'S HEALTH BY CLARIFYING THE AUTHORITY OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM (THE SYSTEM) TO CONDUCT OPERATIONS IN THE BEST INTERESTS OF THE STATE FOR THE PURPOSE OF CREATING A STATEWIDE HEALTH SYSTEM OF HIGH QUALITY; EXPANDING THE SYSTEM'S OPERATING AUTHORITIES AND PERSONNEL FLEXIBILITIES; AND MAKING NECESSARY CONFORMING CHANGES.*

Repeals GS 116-37 (establishing UNC Health Care System) and GS 116-37.2 (regulation of UNC Hospitals at Chapel Hill funds).

Enacts new Article 37 to GS Chapter 116, pertaining to the UNC Health Care System (System), which replaces GS 116-37 and GS 116-37.1, as follows.

Defines *UNC Health Care System or System* as UNC Hospitals at Chapel Hill and the clinical patient care programs established or maintained by the School of Medicine of UNC Chapel Hill. Also defines *Board or Board of Directors, chief executive officer, component unit, and system affiliate*.

Enacts new GS 116-350.5 pertaining to the System. Provides for a 24-member Board of Directors (Board), with same composition as set forth in repealed GS 116-37. Eight members are ex officio members and certain administrators of either the UNC System, UNC Chapel Hill, UNC Faculty Physicians, or the UNC School of Medicine; sixteen members at large must be from the business and professional public at large who have special competence in business management, hospital administration, health care delivery, or medical practice or who otherwise have demonstrated dedication to the improvement of health care in North Carolina, and who are neither members of the Board of Governors, members of the board of trustees of a constituent institution of The University of North Carolina, nor officers or employees of the State. Sixteen members are appointed for four-year terms, commencing on November 1 of the year of the appointment with 12 members appointed by the Board of Governors in consultation with the UNC President and the other four appointed by the Board. Specifies that no member may be appointed to more than two terms in succession. Retains GS 116-37 provisions pertaining to vacancies, finality of matters within the Board's jurisdiction, election of a chair for a two-year term, and limits on the term of the chair.

Retains provisions from GS 116-37 pertaining to the establishment of the System and the transfer of rights from the Board of the UNC Hospitals at Chapel Hill to the Board. Authorizes the Board to govern and administer the entities that currently comprise the System along with other entities and functions as (1) the General Assembly may assign to the System or (2) the Board may decide, within the limitations of its statutory powers and duties, to establish, administer, or acquire for the purpose of rendering services signed to promote the health and wellbeing of the citizens of the State.

Enacts GS 116-350.15, setting forth the powers and duties of the Board as follows:

- Retains provision from GS 116-37 authorizing any component unit of the System to contract in its individual capacity, subject to such policies and procedures as the Board may direct.
- Enter into formal agreements with constituent institutions of The University of North Carolina (under GS 116-37, just UNC Chapel Hill) with respect to the provision of clinical experience for students and for the provision of maintenance and supporting services.
- Lists the following 11 non-exhaustive list of general powers and duties under which the Board is authorized to exercise such authority and responsibility and adopt such policies, rules, and regulations as it deems necessary or convenient, not inconsistent with the provisions of Article 37, to carry out the patient care, education, research, and public service mission of the System, including, but not limited to, authority to do the following: (1) construct, plan, create, equip, operate, and maintain health care facilities and ancillary enterprises; (2) collect, manage, and control all receipts generated through its clinical operations and other activities; (3) issue bonds and notes as provided in new GS 116-350.55; (4) acquire and dispose of real or personal property, including existing public or private hospital and health care facilities, by purchase, grant, gift, devise, lease, or otherwise; (5) enter into partnerships, affiliations, and other combinations or arrangements with other hospitals or health care entities, as it deems appropriate, including arrangements for management services, to achieve its missions of patient care, education, research, and public service; (6) contract with or enter into any arrangement, including through interlocal cooperation agreements under Part 1 of Article 20 of GS Chapter 160A, with other public hospitals of this or other states, federal or public



agencies, or with any person, private organization, or nonprofit corporation for the provision of health care; (7) insure property or operations of the System against risks as the Board may deem advisable; (8) except as provided in new GS 116-350.40, invest any funds held in reserves or sinking funds, or any funds generated from operations, in property or securities in which trustees, executors, or others acting in a fiduciary capacity may legally invest funds under their control; (9) exercise the following powers conferred upon municipal hospitals and hospital authorities under Article 2 of GS Chapter 131E: (i) the power to enter into agreements with other hospital entities subject to Article 2 of GS Chapter 131E to jointly exercise the powers, privileges, and authorities granted by Article 2 of GS Chapter 131E; (ii) the power to lease any hospital facility, or any part of a hospital facility, to a nonprofit corporation, provided that the terms and conditions of such lease are consistent with the public purposes described in GS 131E-12 (pertaining to municipal hospitals); (iii) the power to acquire an ownership interest, in whole or in part, in a nonprofit or for-profit managed care company, as provided in GS 131E-7.1; (iv) all powers set forth in GS 131E-23 (pertaining to powers of a hospital authority) not otherwise addressed by this Part; (10) exercise any or all powers conferred upon the Board, either generally or with respect to any specific health care facility or other operations, through or by designated agents, including private corporations, nonprofit corporations, or limited liability companies formed under the laws of the State; and (11) have the powers of a body corporate and politic, including the power to sue and be sued, to make contracts, and to adopt and use a common seal and alter the same as may be deemed expedient.

Specifies that notwithstanding the powers and duties provided above, the Board cannot relinquish to another entity more than 50% control of either the UNC Hospitals or the System.

Requires the CEO and President of UNC to jointly submit an annual report to the specified NCGA Committee and the UNC Board of Governors on the operations and financial affairs of the System, including actions taken by the Board under its power to manage System finances, by December 31 of each year.

Sets forth the process of selecting a CEO (the executive and administrative head of the System). Specifies that the CEO has complete executive and administrative authority to formulate proposals for, recommend the adoption of, and implement policies governing the programs and activities of the System, subject to all requirements of the Board. Further specifies that same individual, when serving as Vice-Chancellor for Medical Affairs, will have all authorities, rights, and responsibilities of a vice-chancellor of UNC Chapel Hill. Provides for an election of an executive and administrative head of the UNC Hospitals at Chapel Hill, the President of UNC Hospitals at Chapel Hill. Provides for the election of further administrative staff as may be necessary to assist in fulfilling the duties of the CEO, and all of whom will serve at the pleasure of the CEO.

Enacts new GS 116-350.30, authorizing the System to employ a workforce to conduct its operations. Specifies that employees who are employed directly by the System, and not by a System affiliate, are State employees whose terms and conditions of employment, including benefit plans and programs, are determined by the Board. Only Articles 5 (political activity), 6 (EEO and compensation opportunities), 7 (privacy of State employee personnel records), and 14 (whistleblower protection) of GS Chapter 126, the State Human Resources Act, apply to these State employees. Permits the Board to allow the System to employ the faculty and staff of the UNC School of Medicine as well as other health affairs schools and components of UNC Chapel Hill, provided that any employees who are faculty members must remain subject to the faculty policies of UNC Chapel Hill, as established or adopted pursuant to delegation from the Board of Governors of The University of North Carolina. Specifies that a State employee employed by the System immediately prior to July 1, 2023, has the right to (1) continued State employment if the employee remains in the employee's current role or position, unless terminated in accordance with the terms of employment that existed immediately prior to July 1, 2023, subject to all relevant provisions of State and federal law and (2) continued participation in the State Teachers' and State Employees' Retirement System (TSERS) if the employee was enrolled in TSERS immediately prior to July 1, 2023, and maintains State employee status. Specifies that a State employee who achieved career State employee status by October 31, 1998, will remain subject to the rules regarding discipline or discharge that were effective on October 31, 1998, and not be subject to the rules regarding discipline or discharge adopted after that date.

Enacts GS 116-350.35, pertaining to System finances. Specifies that the System, UNC Hospitals, and designated components of UNC are not subject to the provisions of the State Budget Act, except for General Fund appropriations, nor are these entities otherwise subject to the authority of the State Controller. Instead, they are subject to the authority of the State Auditor. Sets forth rules related to budgeting. Allows for the CEO or designee to spend funds on behalf of a patient when they determine this would result in a financial benefit to the System, and is limited to: (1) situations in which a patient is financially unable to afford an ambulance or other transportation for discharge, (2) when a patient is unable to afford placement in an after-care facility, (3) to assure availability of a bed in an after-care facility after discharge from the hospitals, (4) to secure equipment or other medically appropriate services for the patient after discharge, or (5) when the patient is unable to pay health insurance



premiums. Requires any payments made on behalf of a patient to be evaluated monthly. Requires any State agencies receiving back pay for anticipating health care benefits for a patient who received the financial assistance described above to withhold from that backpay an amount equal to the sum advanced by the System if the agency has received notice from the System of the advancement prior to disbursement.

Enacts GS 116-350.40, pertaining to regulation of UNC Hospitals Funds, as follows. Defines *funds*. Specifies that the Board is responsible for the custody and management of the funds of UNC Hospitals. Requires Board to adopt uniform policies and procedures applicable to the deposit, investment, and administration of these funds, which will assure that the receipt and expenditure of such funds is properly authorized and that the funds are appropriately accounted for. Allows designation of authority through the CEO to the President of UNC Hospitals when such delegation is necessary or prudent to enable UNC Hospitals to function in an expeditious manner.

Specifies that funds and investment earnings thereon are available for expenditure by the UNC Hospitals and are hereby appropriated by the General Assembly. Specifies that funds under this statute are subject to the oversight of the State Auditor and are not subject to the provisions of the State Budget Act, except for operating and capital funds appropriated from the General Fund. Requires the UNC Hospitals to submit such reports or other information concerning its fund accounts under this section as may be required by the Board. Specifies that funds, or the investment income therefrom, cannot take the place of State appropriations or any part thereof, but any portion of these funds available for general institutional purposes will be used to supplement State appropriations to the end that the UNC Hospitals may improve and increase their functions, may enlarge their areas of service, and may become more useful to a greater number of people. Permits the Board to deposit or invest the funds under this section in interest-bearing accounts and other investments in the exercise of its sound discretion, without regard to any statute or rule of law relating to the investment of funds by fiduciaries.

Enacts GS 116-350.45, which requires the Board to establish policies and regulations governing the System's purchasing requirements, to include requests for proposals, competitive bidding or purchasing by means other than competitive bidding, contract negotiations, and contract awards for purchasing supplies, materials, equipment, and services necessary and appropriate to fulfill the clinical, educational, research, and community service missions of the System. Specifies a review process of Board-approved policies and regulations by the Division of Purchase and Contract. Enacts GS 116-350.50 pertaining to acquisition and disposal, design and construction, and plan review/code enforcement of real property. Enacts GS 116-350.55, authorizing the System to issue bonds and notes on behalf of itself or any component units or System affiliates in the same manner and for the same purpose as the UNC Board of Governors and with the same powers. Specifies that in issuing bonds or notes, the following additional provisions apply: (1) institutions within the meaning of GS 116D-22 (special bond obligations for improvements to UNC facilities) will include the System and any component unit or System affiliate; (2) the approval of the Director of the Budget will not apply to bonds or notes issued by the System pursuant to this section and Article 3 of GS Chapter 116D (pertaining to higher education bonds); (3) special obligation bond projects may be undertaken, special obligation bonds may be issued, and other powers vested in the Board under this section may be exercised by the Board without obtaining the consent of any department, division, commission, board, bureau, or agency of the State and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions, or things which are specifically required by GS 116-350.40 and Article 3 of GS Chapter 116D (pertaining to special obligation bonds for improvements to UNC facilities); and (4) that nothing herein will limit or restrict the right of the System to obtain a loan from a financial institution, provided that the System may not pledge real property owned by the State of North Carolina as collateral.

Enacts GS 116-350.60 permitting the System to merge with a domestic nonprofit corporation so long as it does so in line with State law pertaining to merger with an unincorporated entity (GS 55A-11-09). Specifies that the System or UNC Hospitals is the surviving entity of any merger. Sets forth specifications pertaining to the plan of merger.

Enacts GS 116-350.65 listing certain records that are not public records under State public records law, including those related to patient care and services, strategic planning or initiative, and consultations with the specified NCGA committee. Enacts GS 116-350.70, allowing cooperative agreements and setting forth immunity provisions pertaining to Board contracts with outside entities for the provision of health care.

Enacts GS 116-350.100, authorizing the Board to secure insurance or provide self-insurance through the purchase of contracts of insurance or the creation of self-insurance trusts, or through combination of such insurance and self-insurance, to provide the System, UNC Hospitals, System affiliates, and individual health care practitioners with coverage against claims of personal or entity tort liability based on conduct within the course and scope of health care functions undertaken by such entities or

individuals as employees, agents, or officers of (1) the System, (2) the University of North Carolina Hospitals at Chapel Hill, or (3) any health care institution, agency, or entity which has an affiliation agreement with the System or with the UNC Hospitals at Chapel Hill. Provides that the funds may be used to pay any expenses, including damages ordered to be paid, which may be incurred by the System or the UNC Hospitals at Chapel Hill with respect to any tort claim, based on alleged negligent acts in the provision of health care services, which may be prosecuted under the provisions of Article 31 of GS Chapter 143 (State Tort Claims Act). Specifies that the coverage to be provided, through insurance or self-insurance or a combination thereof, may include provision for the payment of expenses of litigation, the payment of civil judgments in courts of competent jurisdiction, and the payment of settlement amounts in covered actions, suits, or claims. Enacts GS 116-350.105, pertaining to the establishment and administration of self-insurance trust funds. Specifies any self-insurance trust fund is not subject to regulation by the Commissioner of Insurance. Authorizes the Board to accept gifts, donations, appropriations, and other transfers of funds for a self-insurance trust and to deposit those transfers in the insurance trust accounts. Requires administrative expenses to be paid from those accounts. Allows Board to adopt relevant rules. Allows for Board to create 13-member UNC Health Liability Insurance Trust Found Council, to be responsible for the administration of the self-insured liability insurance program and insurance trust accounts. Specifies membership and appointment authority. Sets forth rules pertaining to defense by the Attorney General's office and deems that the coverage provided under any self-insured program is commercial liability insurance coverage within the meaning of GS 143-300.6 (pertaining to payment of judgments, compromise, and settlement of claims).

Enacts GS 116-350.110 (pertaining to funding of self-insurance programs) setting forth requirements for initial contributions and subsequent contributions, payment of claims, and security of funds borrowed by the Board to replenish the trust fund, and specifying that any debt or obligation pertaining to a self-insurance trust is not a debt or obligation of the State. Enacts GS 350-116.115, which permits funds to be terminated and for net proceeds to be reimbursed to the System.

Clarifies that Article 37 is not intended to waive State sovereign immunity. Specifies that records pertaining to the liability insurance program are not public records under State public records law.

Makes conforming changes to GS 66-58 (pertaining to sale of merchandise or services by governmental units), GS 116-30.3A (pertaining to availability of excess receipts within the UNC system), GS 116-187 (revenue bonds by UNC board of trustees), GS 116-189 (definitions pertaining to UNC revenue bonds), GS 116-219 (authorization for UNC Board of Governors [BOG] to provide self-insurance or secure insurance), GS 116-220 (pertaining to BOG's authority to adopt rules pertaining to insurance), GS 116D-1 and GS 116D-22 (both pertaining to higher education bonds), GS 126-5 and GS 131E-13 (pertaining to lease or sale of hospital facilities to or from for-profit or nonprofit corporations or other business entities by municipalities and hospital authorities), GS 135-1 (TSERS definitions), GS 135-5.1 (optional retirement program for UNC), GS 153-48.1 (definitions of State health plan), GS 135-48.40(b) (partially contributory coverage under State health plan), GS 143-56 (exempting certain purchases from the provisions of State purchases and contracts law), GS 143-596 (pertaining to smoking in public places), GS 143C-1-3 (general provisions of the State budget act), GS 143C-8-7 (pertaining to when a state agency can begin a capital improvement project), GS 143C-8-8 (pertaining to when a State agency may increase the cost of a capital improvement project), GS 146-22 (pertaining to acquisitions required to be made by the Department of Administration), GS 147-69.2 (pertaining to investments authorized for special funds held by the State treasurer).

Enacts GS 135-5.5 (TSERS), pertaining to employees of the System. Specifies that all employees of the System who are (1) employed before July 1, 2023, and (2) are members of either TSERS or the Optional Retirement Program before July 1, 2023, will retain membership in TSERS or the Optional Retirement Program unless the member makes a one-time, irrevocable election to cease membership in TSERS or the Optional Retirement Program in favor of a similar benefit offered by the System. Specifies that for employees hired on or after July 1, 2023, who are not eligible for membership in TSERS must be offered any of the following by the System: membership in the Optional Retirement Program, enrollment in a benefit like the Optional Retirement Program, or a choice between the two. Specifies that if an employee ceases to be employed by the System on or after July 1, 2023, and is later rehired, then that person will be treated as a new employee. Requires the System to continue to report the payroll of employees employed as of June 30, 2023, and continue to remit the employee and employer contributions for all employees retaining membership in TSERS or the Optional Retirement Program until none exist.

Effective July 1, 2023.

[View summary](#)

Employment and Retirement, Government,  
Budget/Appropriations, Public Records and Open Meetings,  
State Agencies, UNC System, State Government, State  
Personnel, Health and Human Services, Health, Health Care  
Facilities and Providers

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 132: GOVT. AGENCIES/DELIVERY OF PERMITS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

#### **H 181: UNCLAIMED PROPERTY DIVISION CHANGES.-AB**

*House: Reptd Fav*

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

#### **H 182: ESCHEAT FUND FEE WAIVER.-AB**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

#### **H 186: DIV. OF JUVENILE JUSTICE MODS.-AB**

*House: Reptd Fav Com Sub 2*

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

#### **H 201: RETIREMENT ADMIN CHANGES ACT OF 2023.-AB (NEW)**

*House: Reptd Fav*

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

#### **H 203: DST TECHNICAL CORRECTIONS.-AB**

*House: Reptd Fav*

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

#### **H 259: 2023 APPROPRIATIONS ACT.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 387: MEDAL OF VALOR AWARD FOR FIRST RESPONDERS. (NEW)**

*House: Reptd Fav Com Substitute*

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

#### **H 407: NC SEMIQUINCENTENNIAL LEGISLATIVE COMMISSION.**

*House: Reptd Fav*

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

#### **H 556: TRANSLITERATOR LICENSING BOARD MODS.**

*House: Reptd Fav*

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

**H 580: EXPAND DAY/EMPLOYMENT OPTIONS/IDD.**

*House: Passed 1st Reading*

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

**H 581: INVESTING IN NORTH CAROLINA ACT.**

*House: Passed 1st Reading*

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

**H 582: TRANSPORTATION FOR THE FUTURE ACT.**

*House: Passed 1st Reading*

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

**H 583: SUPPORT/EXPAND WORKFORCE IDD OPTIONS.**

*House: Passed 1st Reading*

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

**H 584: MOBILE HOME PARK ACT.**

*House: Passed 1st Reading*

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

**H 585: SCHOOL PSYCHOLOGIST OMNIBUS.**

*House: Passed 1st Reading*

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

**H 586: NO CV19 DISCRIMINATION/ORGAN TRANSPLANTATION.**

*House: Passed 1st Reading*

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

**H 587: NC GENETIC COUNSELORS WORKFORCE ACT.**

*House: Passed 1st Reading*

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

**H 588: UNIFORM PARTITION OF HEIRS PROPERTY ACT.**

*House: Passed 1st Reading*

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

**H 589: PROTECT WHISTLEBLOWER LEOS FROM RETALIATION.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary 3, if favorable, Rules, Calendar, and Operations of the House*

**H 590: INCREASE PUNISHMENT FOR CARGO THEFT.**

*House: Passed 1st Reading*

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

**H 591: RESTITUTION/SEXUAL EXPLOITATION OF MINOR.**

*House: Filed*

**H 592: COLLEGE OF THE ALBEMARLE/HEALTH SCIENCE LAB.**

*House: Filed*

**H 593: RESTRICT TRUCK LENGTH THROUGH CULLASAJA GORGE.**

*House: Filed*

**H 594: DIS. VETERAN HOMESTEAD EXCL. PREQUALIFICATION.**

*House: Filed*

**H 595: RENTAL INSPECTIONS.**

*House: Filed*

**H 596: HATE CRIMES PREVENTION ACT.**

*House: Filed*

**S 80: STATE AUDITOR DISCLOSURE AND DISCOVERY ACT.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 303: STRENGTHEN JUVENILE LAWS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 331: CONSUMER FINANCE ACT AMENDMENTS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 340: EXPAND PROB. OFFICER/SHERIFF AUTHORITY.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 364: NONDISCRIMINATION IN STATE EMPLOYEE HIRING.**

*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: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 552: MODIFICATIONS TO NOTARY PUBLIC ACT.**

*Senate: Withdrawn From Com*

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

**S 574: AUTHORIZE NIL AGENCY CONTRACTS.**

*Senate: Withdrawn From Com*

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

**S 626: MODIFY LAWS RELATING TO HUMAN TRAFFICKING.**

*Senate: Withdrawn From Com*

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

**S 648: PROTECT CRITICAL INFRASTRUCTURE II.**

*Senate: Withdrawn From Com*

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

**S 650: GUN VIOLENCE PREVENTION ACT.**

*Senate: Withdrawn From Com*

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

**S 655: UPDATE STRUCTURED SETTLEMENT PROTECTION ACT.**

*Senate: Passed 1st Reading*

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

**S 656: FOSTER BH IDD TAILORED PLAN COMPETITION.**

*Senate: Passed 1st Reading*

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

**S 657: LME/MCO TRANSPARENCY AND ACCOUNTABILITY.**

*Senate: Passed 1st Reading*

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

**S 658: WATER SAFETY ACT OF 2023.**

*Senate: Passed 1st Reading*

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

**S 659: OPTOMETRY PRACTICE MODS.**

*Senate: Passed 1st Reading*

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

**S 660: INCREASE ACCESS TO MEDICAID HCWD PROGRAM.**

*Senate: Passed 1st Reading*

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

**S 661: HEALTH BENEFIT PLANS/MENTAL HEALTH PARITY.**

*Senate: Passed 1st Reading*

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

**S 662: FUNDS FOR ADAPTIVE EXERCISE EQUIPMENT.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 664: SUPPORT/EXPAND WORKFORCE IDD OPTIONS.**

*Senate: Passed 1st Reading*

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

**S 665: ADD HOMESCHOOLS TO OPPORTUNITY SCHOLARSHIP.**

*Senate: Passed 1st Reading*

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

**S 666: RAFFLES/INCREASE REAL ESTATE PRIZE LIMIT.**

*Senate: Passed 1st Reading*

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

**S 667: REGULATION OF SHORT-TERM RENTALS.**

*Senate: Passed 1st Reading*

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

**S 668: GAMING COMMISSION.**

*Senate: Passed 1st Reading*

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

**S 669: SOLAR DECOMMISSIONING RQMTS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 670: CREATE NEW WEIGHTED STUDENT FUNDING MODEL.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 671: BIFURCATE ECONOMIC DISTRESS CATEGORIZATION.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

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

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 673: WATER AND WASTEWATER REGULATORY RELIEF ACT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 674: BABY BOND TRUST FUND.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 675: LAND USE CLARIFICATION AND CHANGES.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 676: RESTRICTED DL FOR UNDOCUMENTED IMMIGRANTS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

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

*Senate: Passed 1st Reading*

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

**S 678: PROMOTE CLEAN ENERGY.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 679: NC PUBLIC FINANCE PROTECTION ACT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 680: REVISE HIGHER ED ACCREDITATION PROCESSES.**

*Senate: Passed 1st Reading*

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

**S 681: POLLUTER PAYS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 682: PROTECT CHILDREN FROM LEAKING GARBAGE TRUCKS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 683: EXPANDING WORKFORCE AND EDUCATION ACT.**

*Senate: Passed 1st Reading*

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

**S 684: STORMWATER PROGRAM REVISIONS.**

*Senate: Passed 1st Reading*

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

**S 685: FUNDS FOR ORPHAN ROADS IN MECKLENBURG CO.**

*Senate: Passed 1st Reading*

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

**S 686: REGULATORY REFORM ACT OF 2023.**

*Senate: Passed 1st Reading*

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

**S 687: IGNITING FUTURES IN TECHNOLOGY.**

*Senate: Passed 1st Reading*

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

**S 688: CHILD CARE ACT.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 690: SUPPORT OUR DIRECT CARE WORKFORCE.**

*Senate: Passed 1st Reading*

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

**S 691: RADON TECHNICIAN CERTIFICATION.**

*Senate: Passed 1st Reading*

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

**S 692: COMMUNITY COLLEGE GOVERNANCE.**

*Senate: Passed 1st Reading*

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

**S 693: ADMINISTRATIVE PROCEDURE ACT AMENDMENTS.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 695: REENACT CHILD CARE TAX CREDIT.**

*Senate: Passed 1st Reading*

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

**S 696: LOCAL OPTION SALES TAX FLEXIBILITY.**

*Senate: Passed 1st Reading*

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



**S 697: SAVE THE STATE'S COASTAL RESOURCES.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 699: GUILFORD COUNTY FUNDING.**

*Senate: Passed 1st Reading*

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

**S 700: 2023 UNEMPLOYMENT INSURANCE REFORM.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 702: FUNDS FOR GTCC FAME PARTNERSHIP.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 704: CITIZENS REVIEW BOARD.**

*Senate: Passed 1st Reading*

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

**S 705: EQUITY IN JUSTICE ACT OF 2023.**

*Senate: Passed 1st Reading*

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

**S 706: IN-STATE TUITION EQUITY.**

*Senate: Passed 1st Reading*

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

**S 707: ELIMINATE OFFSETS/DIPNC LTD.**

*Senate: Passed 1st Reading*

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

**S 708: SCHOOL MEALS FOR EVERY CHILD.**

*Senate: Passed 1st Reading*

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

**S 709: RETURNING CITIZENS READY TO WORK.**

*Senate: Passed 1st Reading*

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

**S 710: COMMUNITY SOLAR PROGRAM CHANGES.**

*Senate: Passed 1st Reading*

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

**S 711: FUEL GAS DETECTOR ACT.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 713: BUILD SAFER COMMUNITIES AND SCHOOLS ACT.**

*Senate: Passed 1st Reading*

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

**S 714: AN ENERGY RESILIENT NC.**

*Senate: Passed 1st Reading*

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

**S 715: FUND DRUG TREATMENT/MENTAL HEALTH COURTS.**

*Senate: Passed 1st Reading*

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

**S 716: CAREGIVER TAX CREDIT.**

*Senate: Passed 1st Reading*

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

**S 717: AFFORDABLE ACCESS TO INSULIN ACT.**

*Senate: Passed 1st Reading*

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

**S 718: SOCIAL WORK INTERSTATE LICENSURE COMPACT.**

*Senate: Passed 1st Reading*

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

**S 719: REVISE ANIMAL CRUELTY LAWS.**

*Senate: Passed 1st Reading*

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

**S 720: REENACT EDUCATIONAL SALES TAX HOLIDAY.**

*Senate: Passed 1st Reading*

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

**S 721: UNIFORM WORKER CLASSIFICATION ACT.**

*Senate: Passed 1st Reading*

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

**S 722: CHILD CARE FLEXIBILITIES.**

*Senate: Passed 1st Reading*

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

**S 723: HENRY'S LAW.**

*Senate: Passed 1st Reading*

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

**S 724: HOTEL SAFETY ISSUES RELATED MATTERS.**

*Senate: Passed 1st Reading*

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

**S 725: DEFINITIONS FOR ADVANCED RECYCLING.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 728: FIREFIGHTER PENSION INCREASE.**

*Senate: Passed 1st Reading*

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

**S 729: CBBC WORKING GROUP CHANGES.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 731: SHINE LIKE HAILEY PARADE SAFETY ACT.**

*Senate: Passed 1st Reading*

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

**S 732: EXPAND DAY/EMPLOYMENT OPTIONS/IDD.**

*Senate: Passed 1st Reading*

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

**S 733: IDENTITY THEFT PROTECTION ACT/CHANGES.**

*Senate: Passed 1st Reading*

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

**S 734: CONSTITUTION QUOTE AT SCHOOL ENTRANCES.**

*Senate: Passed 1st Reading*

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

**S 735: REDUCE PARENT COPAYS/SUBSIDIZED CHILD CARE.**

*Senate: Passed 1st Reading*

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

**S 736: EXPAND INCOME TAX ASSISTANCE IN NC.**

*Senate: Passed 1st Reading*

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

**S 737: ADDRESS ESG FACTORS.**

*Senate: Passed 1st Reading*

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

**S 738: TAX DEDUCTION FOR CERTAIN MORTGAGE INCOME.**

*Senate: Passed 1st Reading*

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

**S 739: DEFINING ANTI-SEMITISM IN NORTH CAROLINA.**

*Senate: Passed 1st Reading*

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

**S 740: FULLY FUND SCHOOL PSYCHOLOGISTS & COUNSELORS.**

*Senate: Passed 1st Reading*

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

**S 741: TAX RELIEF ON ESSENTIALS FOR WORKING FAMILIES.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 743: TRANSFORMATIONAL INVESTMENTS IN NC HEALTH.**

*Senate: Passed 1st Reading*

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

**S 744: ENVIRONMENTAL PERMITTING REFORMS.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**No local actions on bills**

**© 2023 School of Government The University of North Carolina at Chapel Hill**

This work is copyrighted and subject to "fair use" as permitted by federal copyright law. No portion of this publication may be reproduced or transmitted in any form or by any means without the express written permission of the publisher. Distribution by third parties is prohibited. Prohibited distribution includes, but is not limited to, posting, e-mailing, faxing, archiving in a public database, installing on intranets or servers, and redistributing via a computer network or in printed form. Unauthorized use or reproduction may result in legal action against the unauthorized user.

[Print Version](#)