



## The Daily Bulletin: 2023-04-24

### PUBLIC/HOUSE BILLS

H 841 (2023-2024) **HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS**. Filed Apr 24 2023, *AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE EARNED PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES AND APPROPRIATING FUNDS TO THE DEPARTMENT OF LABOR FOR ADMINISTRATION AND ENFORCEMENT.*

Includes whereas clauses.

Enacts new Article 3A of GS Chapter 95, to be cited as the Healthy Families and Healthy Workplaces Act (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Provides definitions for the following terms as used in the HFHW Act: child, domestic violence, employ, employee, employer, health care provider, immediate family member, paid sick time or paid sick days, parent, sexual assault, small business, and stalking.

Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued, and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health unless the care is covered under federal law or (2) absence necessary due to the circumstances resulting from the employee or an immediate family member of the employee being a victim of stalking or domestic violence or sexual violence if leave allows the employee or family member to obtain: medical attention needed to recover from physical or psychological injury or disability caused by stalking or domestic violence or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling, relocation, or legal services. Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification. Provides that an employer may not require certification from a health care provider employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act. Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice. States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies. Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in

place offers an employee, at his or her discretion, the option to take paid sick time equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding an employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act. Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Appropriates \$1 million for each year of the 2023-25 biennium from the General Fund to the Department of Labor to be used for public education about and administration and enforcement of the Healthy Families and Healthy Workplaces Act, as enacted in this act.

Effective July 1, 2023, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before July 1, 2023, that is still in effect on that date.

**Intro. by Quick.**

[APPROP, GS 95](#)

[View summary](#)

**Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Labor**

H 842 (2023-2024) [WORKFORCE DEVELOPMENT & AMP HOUSING ACT](#). Filed Apr 24 2023, *AN ACT TO MAKE CHANGES TO THE WORKFORCE HOUSING REVOLVING LOAN PROGRAM, TO APPROPRIATE FUNDS TO CREATE A CYBERSECURITY APPRENTICESHIP PROGRAM, AND TO PROVIDE SALARY ENHANCEMENTS TO APPRENTICESHIP INSTRUCTORS.*

Contains whereas clauses.

Expands the scope of the conditions permitting Workforce Housing Loan Program's (GS 122A-5.51(c)) loans made to a taxpayer with a cap of \$2 million to include when the low-income housing development is within 4 miles of an industrial site certified under the Certified Sites Program, in addition to other condition listed in the statute. (Currently, loans with a cap of \$2 million can only be made when the proposed housing development is in a low-income county.)

Appropriates \$15 million in recurring funds from the General Fund to the Community Colleges Systems Office (Office) for each year of the 2023-2025 biennium to provide salary enhancements to community college apprenticeship instructions. Also appropriates \$2 million in non-recurring funds for 2023-2024 fiscal year and \$2 million in non-recurring funds for the 2024-2025 fiscal year to be used to develop and implement a cybersecurity apprenticeship program. Requires the Office to consult with the Department of Information Technology to develop the program.

Effective July 1, 2023.

**Intro. by Reives, Autry, Roberson, G. Brown.**

[APPROP, GS 122A](#)

[View summary](#)

**Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, Office of Information Technology Services**

H 843 (2023-2024) [COMMUNITY VIOLENCE INTERVENTION FUNDING](#). Filed Apr 24 2023, *AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF VIOLENCE PREVENTION IN THE DEPARTMENT OF PUBLIC SAFETY TO BE USED TO AWARD COMPETITIVE GRANTS TO LOCAL GOVERNMENTS, LAW ENFORCEMENT AGENCIES, AND NONPROFIT ORGANIZATIONS TO FUND THE DEVELOPMENT OF COMMUNITY VIOLENCE INTERVENTION PROGRAMS.*

Appropriates \$10 million for the 2023-25 biennium from the General Fund to the Office of Violence Prevention in the Department of Public Safety to award competitive grants to local governments, law enforcement agencies, and nonprofit organizations to fund the development of community violence intervention programs in the communities served by the grant recipients. Defines *community violence intervention program* as a program that focuses on individuals at the highest risk of violence and uses prevention and intervention strategies to reduce violence and retaliation; specifies items that are included. Specifies that the funds remain available until the earlier of the date the funds are expended in accordance with the provisions of this act or July 1, 2026.

Requires the Office of Violence Prevention to establish the procedures and criteria for awarding grants under this act and make the final decision about grant awards, subject to all of the following limitations: (1) requires funds to be awarded to recipients that serve communities located in municipalities with high levels of violence, to be determined as specified in the act; (2) requires grant applicants to identify the segment or area of the population it serves as having the highest risk of perpetrating or being victimized by violence and primarily use grant funds received under this grant program to provide violence intervention services to that segment or area of the population; (3) requires a law enforcement agency that applies for grant funding to only be eligible to receive funding if it provides the Office of Violence Prevention with a memorandum of understanding entered into with a non-law enforcement entity establishing how funds received under this grant program are to be used, including identifying non-law enforcement intervention strategies for which at least 50% of the grant funds received must be used. Prohibits applicants from receiving more than one grant under the program and caps the amount of a single grant at \$5 million.

Requires a report by December 1, 2023, and semiannually thereafter until all of the funds appropriated in this act have been expended, to the specified NCGA committee on the four listed issues related to the grant program.

Effective July 1, 2023.

**Intro. by Ball, Morey, T. Brown, Quick.**

**APPROP**

[View summary](#)

**Government, Budget/Appropriations, Public Safety and  
Emergency Management, State Agencies, Department of  
Public Safety**

H 844 (2023-2024) [SCHOOL MEALS FOR ALL ACT](#). Filed Apr 24 2023, *AN ACT TO PROVIDE BREAKFAST AND LUNCH IN PUBLIC SCHOOLS AT NO COST TO STUDENTS.*

Amends GS 115C-263 to require public school units to have a school food authority to provide school nutrition services in the schools under their jurisdiction by offering students two free meals per day, breakfast and lunch (was, local boards of education must provide to the extent practicable school nutrition services in the schools under their jurisdiction). Requires the State Board of Education, to the extent funds are available for this purpose, to allocate funds to school food authorities at public school units to provide students with free healthy nutrition services. Requires, in issuing the allocation, that the amount of the allocation be determined based the amount the school would have received from the federal government had all students qualified for federally free meals in the previous fiscal year minus the amount of federal funds actually received for free or reduced-price meals in the previous fiscal year. Requires the allocation to be issued at the beginning of each fiscal year, and allows the Board to reserve for future allocation a reasonable amount, not to 10% of the total funds available for providing nutrition services. Make conforming changes to GS 115C-47.

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

Appropriates \$172 million in recurring funds for 2023-24 from the General Fund to the Department of Public Instruction to provide nutrition services to students in public school units at no cost to the students. Allows the use of funds appropriated to State Aid for Public Schools for this purpose if this funding is insufficient for 2023-24.

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

Effective July 1, 2023.

**Intro. by von Haefen, Clemmons, Ball, Morey.**

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

[View summary](#)

[Education, Elementary and Secondary Education,  
Government, Budget/Appropriations](#)

H 845 (2023-2024) [UPDATE STRUCTURED SETTLEMENT PROTECTION ACT](#). Filed Apr 24 2023, *AN ACT TO UPDATE THE NORTH CAROLINA STRUCTURED SETTLEMENT PROTECTION ACT TO ALIGN WITH THE MOST RECENT VERSION OF THE MODEL STATE STRUCTURED SETTLEMENT PROTECTION ACT APPROVED BY THE NATIONAL COUNCIL OF INSURANCE LEGISLATORS.*

Identical to [S 655](#), filed 4/6/23.

Enacts GS 1-543.11A requiring a person who wishes to act as a transferee, attempt to acquire structured settlement payment rights through a transfer from a payee who resides in the State, or file a structured settlement transfer proceeding in this State to first register with the Department of Insurance (Department) as a structured settlement purchase company (SSPC). Authorizes the Department to develop rules and charge a registration fee. Provides for initial registration on a form prescribed by the Department, and requires a surety bond, letter of credit, or cash bond of \$50,000. Sets forth notice requirements when a judgment is secured against an SSPC by a payee. Specifies that the liability of the surety (i.e., a co-signer) under the bond is not affected by any (1) breach of contract, (2) breach of warranty, (3) failure to pay a premium, (4) other act or omission of the bonded SSPC, or (5) insolvency or bankruptcy of the SSPC. Specifies limits on cancellation of a surety bond. Provides that registration of the SSPC expires automatically upon the cancellation of the bond unless a new surety bond, letter of credit, or cash bond is filed with the Department. Exempts assignees and employees from SSPC registration. Sets forth rules related to federal tax liability under 26 USC 5891 (structured settlement factoring transactions).

Makes amendments to GS 1-543.11 to amend definitions of discounted present value, independent professional advice, interested parties, payee, qualified assignment agreement, structured settlement agreement, and structured settlement payment rights. Adds and defines terms assignee, dependents, gross advance amount, net advance amount, periodic payments, person, renewal date, SSPC, structured settlement transfer proceeding, transfer order, and transferee.

Enacts GS 1-543.11B pertaining to prohibited practices, a private right of action, and penalties. Bars transferees, SSPCs, or an employee or other representative of an SSPC or transferee from engaging in 11 prohibited practices, including (1) acquiring structured settlement payment rights from a payee without complying with this Article and obtaining court approval of the transfer in accordance with this Article; (2) intentionally advertising materially false or misleading information regarding its products or services; (3) attempting to coerce, bribe, or intimidate a payee seeking to transfer structured settlement payment rights; and (4) attempting to defraud a payee, any party to a structured settlement transfer, or any interested party in a structured settlement transfer proceeding by means of forgery or false identification. Grants a payee standing to bring a private action for violation of the Structured Settlement Protection Act (Act). Permits the payee to recover all damages and pursue all rights and remedies to which the payee may be entitled pursuant to the Act or any other law. Provides for recovery of attorneys' fees, actual damages, and payment of damages of up to \$5,000 along with reconveyance to the payee of all unpaid structured settlement payment rights transferred in violation of the Act. Authorizes a court that determines that an SSPC or transferee is in violation of GS 1-543.11B(a) to do any of the following: (1) revoke the SSPC's registration, (2) suspend the SSPC's registration for a period of time, (3) enjoin the SSPC or transferee from filing new structured settlement transfer proceedings in the State or otherwise pursuing transfers in the State. Specifies when an SSPC may bring a private action under GS 1-543.11B(a) and allows recovery of all damages or any remedies available to the SSPC.

Enacts GS 1-543.11C, which sets forth 11 required disclosures that an SSPC must provide to a payee not less than three days prior to the date on which the payee signs a transfer agreement, with specifications as to font size and format.

Amends GS 1-543.12 pertaining to transfers of structured settlement payment rights. Expands the section's scope to also apply to assignees of structured settlement payment rights (currently, just transferees). Amends the findings that a court order must contain authorizing the transfer to delete provisions pertaining to required notice, the discount rate, brokers' commissions and other fees, a determination that the transfer is fair and reasonable, and authorizing a court to transfer payment rights even if the agreement prohibits such transfers. Requires the court to determine that the transfer does not contravene any statute or the order of any court or other government authority; that the transfer is in the best interest of the payee, taking into account the welfare and support of the payee's dependents; and the payee has been advised in writing by the transferee to seek independent professional advice regarding the transfer and has either received advice or knowingly waived that opportunity.

Specifies that no direct or indirect transfer of a minor's structured settlement payment rights by a parent, conservator, or guardian is effective and no structured settlement obligor or annuity issuer will be required to make a payment directly or indirectly to a transferee or assignee of the minor's structured settlement payment rights unless, in addition to the findings set forth above, the court also finds all of the following: (1) the proceeds of the proposed transfer would be applied solely for the support, care, education, health, and welfare of the minor payee and (2) any excess proceeds would be preserved for the future support, care, education, health, and welfare of the minor payee and transferred to the minor payee upon emancipation. Makes conforming changes to section title. Bars structured settlement payment rights arising from a worker's compensation claim.

Enacts GS 1-543.12A setting forth the effects of a transfer of structured settlement payment rights, including reliance on the court order, transferee liability to the structured settlement obligor and the annuity issuer, and further transfer of structured settlement payment rights. Makes technical changes to GS 1-543.13 (pertaining to jurisdiction over structured settlement agreements).

Amends GS 1-543.14 (procedure for approval of transfers) to require an in-person hearing on an application and makes conforming changes to account for registration requirements. Changes the filing/service deadline for a transferee to file/serve certain documents with the court or responsible administrative authority from 30 days prior to the scheduled hearing to 20 days and specifies that the parent or other guardian or authorized legal representative of any interested party who is not legally competent must also be served with copies of the required documents. Adds to the items that must be included in the notice. Sets a deadline for any response to those documents to five days before the hearing.

Amends GS 1-543.15 (pertaining to waiver and, as amended, miscellaneous provisions) to include the following. Makes conforming changes to account for newly expanded private right of action. Requires that transfer agreements entered into with a payee who resides in the State to contain a forum selection/choice of law provision requiring that any disputes be resolved in North Carolina and under North Carolina law. Bars confessed judgments (i.e., judgment without notice or a hearing). Bars transfer of structured settlement payment rights to any payments that are life contingent unless certain preconditions are fulfilled. Requires a transferee to request dismissal of an application when the payee cancels a transfer agreement or the transfer agreement otherwise terminates after an application for approval of a transfer of structured settlement payment rights has been filed but not yet granted or denied.

Effective when the act becomes law and applies to transfer agreements entered into on or after October 1, 2024. Clarifies that nothing in the act is intended to imply that any transfer under a transfer agreement entered into prior to October 1, 2024, is valid or invalid.

**Intro. by Humphrey.**

GS 1

[View summary](#)

**[Business and Commerce](#), [Consumer Protection](#), [Insurance](#), [Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Civil Procedure](#), [Government](#), [State Agencies](#), [Department of Insurance](#)**

H 846 (2023-2024) **[FUNDS FOR NC PRE-K AND SMART START](#)**. Filed Apr 24 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PREKINDERGARTEN (NC PRE-K) PROGRAM AND THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., (SMART START) AND TO SET THE ADMINISTRATIVE CAP FOR NC PRE-K AND SMART START AT TEN PERCENT.*

Appropriates \$180 million in recurring funds from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education (DHHS, Division), for each year of 2023-25 to increase reimbursement and administrative rates for the NC Pre-K program.

Amends Section 9C.1 of SL 2021-180, adding a new subsection to authorize the Division to use up to 10% of State funds appropriated for the NC Pre-K program for administrative costs.

Appropriates \$30 million in recurring funds from the General Fund to the Division for each year of 2023-25 to increase funding for the NC Partnership for Children, Inc.

Appropriates \$6 million in recurring funds from the General Fund to the Division for each year of 2023-25 for the NC Partnership for Children Inc. to provide coordinated training and coaching for early childhood teachers as specified.

Amends Section 9C.6 of SL 2021-180, as amended, which details policies and administrative requirements for NC Partnership for Children Inc. in partnering with local entities to improve the quality of child care from birth to age 5 (known as Smart Start). Increases the cap for administrative costs from 9% to 10% of the total statewide allocation to all local partnerships.

Effective July 1, 2023.

**Intro. by von Haefen, Clemmons, Ball, F. Jackson.**

[APPROP, UNCODIFIED](#)

[View summary](#)

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

H 847 (2023-2024) [ENERGY SAVINGS INCENTIVES/STATE AGENCIES](#). Filed Apr 24 2023, *AN ACT TO PROVIDE THAT ANY ENERGY SAVINGS REALIZED BY STATE AGENCIES MAY REMAIN AVAILABLE TO THE AGENCY FOR OTHER FACILITY UPGRADES RELATED TO REDUCING ENERGY AND WATER CONSUMPTION*.

#### Section 1

Enacts new GS 143-64.17N, *Energy conservation savings nonreversion*, as follows. Requires that the General Fund current operations appropriations credit balance remaining at the end of each fiscal year for utilities of a State governmental unit (to the extent that credit balance represents energy savings realized from implementing an energy conservation measure) must be carried forward by the unit to the end of the next fiscal year and is appropriated for energy conservation measures by the unit. Does not extend the energy saving carryover to the UNC Board of Governors and its constituent institutions. Specifies that the use of funds carried over is limited to one-time capital and operating expenditures that will not impose additional financial obligations on the State. Directs the Director of the Budget (Director) to establish the credit balance remaining in the budget code of each unit. Prohibits the Director from reducing the continuation budget for utilities for State governmental units carrying forward a credit balance under GS 143-64.17N by the amount of certain energy savings. Provides for annual reports by State governmental units on the use of funds under GS 143-64.17N. Applies to fiscal years ending on or after June 30, 2024.

#### Section 2

Amends GS 143-64.12, which establishes duties of the State Energy Office of the Department of Environmental Quality (DEQ) regarding comprehensive management of utility use by State agencies and State institutions of higher learning. Requires State agencies to biennially submit the management plan required under the statute, regarding utility consumption and costs, with the same required content as those required of State institutions of higher learning. Applies to fiscal years ending on or after June 30, 2024.

#### Section 3

Appropriates \$100,000 in recurring funds for the 2023-24 fiscal year from the General Fund to DEQ for the State Energy Office to provide support to State agencies and State institutions of higher learning for the energy consumption planning requirements as required by the act, effective July 1, 2023.

**Intro. by Cervania, Prather, Harrison, von Haefen.**

[APPROP, GS 143](#)

[View summary](#)

**Government, Budget/Appropriations, State Agencies,  
Department of Environmental Quality (formerly DENR)**

H 848 (2023-2024) **SET PAY SCHEDULES/JUVENILE JUSTICE POSITIONS**. Filed Apr 24 2023, *AN ACT APPROPRIATING FUNDS TO ESTABLISH SALARY SCHEDULES FOR STATE EMPLOYEES SERVING AS YOUTH COURT COUNSELORS, YOUTH SERVICES BEHAVIORAL SPECIALISTS, YOUTH COUNSELORS, AND YOUTH COUNSELOR TECHNICIANS IN THE DIVISION OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION*.

Sets an annual salary schedule for Youth Court Counselors in the Department of Public Safety, Division of Juvenile Justice and Delinquency Prevention (Division), based on years of experience ranging from \$44,152 (FY 23)/\$45,256 (FY 24) for counselors with zero years of experience to \$62,282 (FY 23)/\$63,839 (FY 24) for counselors with 6+ years of experience.

Sets a salary schedule for Division employees serving as Youth Counselor Technicians (YCT), Youth Services Behavioral Specialists (YSBS), and Youth Counselors (YC) based on role and years of experience, as follows:

- YCTs with zero years of experience range from \$36,301 (FY 23)/\$37,209 (FY 24) to \$48,642 (FY 23)/\$49,858 (FY 24) for YCTs with 6+ years of experience.
- YSBSs with zero years of experience range from \$37,000 (FY 23)/\$37,925 (FY 24) to \$50,528 (FY 23)/\$51,791 (FY 24) for YSBSs with 6+ years of experience.
- YCs with zero years of experience range from \$42,000 (FY 23)/\$43,050 (FY 24) to \$60,707 (FY 23)/\$62,225 (FY 24) for YCs with 6+ years of experience.

Specifies that if any of the above specified employees will not receive a salary increase based on the above schedules because they earn more than the scheduled salary level, then the employee will receive an annual increase equal to the amount of the across-the-board legislative salary increase authorized for the fiscal year.

Appropriates from the General Fund to the Reserve for Compensation Increases \$11,758,225 million for the 2023-24 fiscal year, and \$11,902,633 million for the 2024-25 fiscal year, to implement the compensation increases described above.

Effective July 1, 2023.

**Intro. by Logan, Belk, T. Brown, Cervania.**

**APPROP**

[View summary](#)

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

H 849 (2023-2024) **EXPAND & ENHANCE THE TEACHING FELLOWS PROGRAM**. Filed Apr 24 2023, *AN ACT TO EXPAND AND ENHANCE THE NORTH CAROLINA TEACHING FELLOWS PROGRAM*.

Includes whereas clauses.

Amends the NC Teaching Fellows Program (Program) set forth in Part 3, Article 23, of GS Chapter 116 as follows. Changes the Program's purpose to no longer focus on recruiting, preparing, and supporting students residing in or attending institutions of higher education in the State for preparation as highly effective STEM or special education teachers in the State's public schools. Instead broadens the Program's stated purpose to include preparing these students to be highly effective teachers in the State's public schools. Removes *STEM* from the Part's defined terms. Makes conforming changes throughout the Part to remove references to STEM and special education positions, candidates, and licensure, making the Program generally applicable to all public school teachers meeting the Program's requirements.

Amends GS 116-209.62. Modifies the use of the Program's Trust Fund, now authorizing up to an additional \$600,000 to be used for extracurricular enhancement activities of the Program, such as summer programs and alumni programs, and up to another \$500,000 to be used for the Director of the Program to implement recruitment activities required by subsection (d) of the statute, annually. Maintains the current authority to use the greater of \$600,000 or 10% of available funds for

administrative costs and the salary of the Director and other Program staff (previously, this amount was to also cover expenses of the Teaching Fellows Commission and for the Commission to fund extracurricular activities).

Now requires the Program to be administered in cooperation with each constituent institution of UNC and up to four institutions of higher education with approved educator preparation programs (EPPs) selected by the Teaching Fellows Commission, representing a diverse selection as specified (currently, the Program is limited to eight institutions of higher education selected by the Commission from both constituent institutions of UNC and private postsecondary institutions operating in the State). Makes conforming changes to subsection (g) regarding award of forgivable loans to reflect these changes to institutions eligible under the Program. Increases the forgivable loan award under the Program from \$4,125 per semester to \$6,000 per semester; maintains existing semester limits based on the individual seeking licensure. Makes technical and conforming changes.

Amends GS 116-209.63 to provide for forgiveness of the loan and any interest accrued on the loan if the recipient serves as a teacher in an NC public school, within 10 years after graduation from a program leading to licensure, for every year the teacher was awarded the forgivable loan, in any combination of (1) six months (was, one year) at an NC public school identified as low-performing either at the time the teacher accepts employment or transfers to another school identified as low performing and/or (2) one year (was, two years) at an NC public school not identified as low-performing. Requires forgiveness if the State Education Assistance Authority finds it impossible for the recipient to work up to four years (was, eight years), within 10 years of completing a program leading to licensure, at an NC public school because of the death or permanent disability of the recipient.

Effective July 1, 2023, and applies to applications for the award of funds beginning in the 2024-25 academic year.

**Intro. by Ball, Elmore, von Haefen, Longest.**

[GS 116](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, UNC System](#)

H 850 (2023-2024) [LICENSING BOARD/CONTRACTORS & INSPECTORS](#). Filed Apr 24 2023, *AN ACT TO MAKE VARIOUS CHANGES TO LICENSING BOARDS RELATED TO COMMERCIAL AND RESIDENTIAL BUILDINGS*.

Amends GS 143-151.49(b) (powers and duties of the NC Home Inspector Licensure Board) to allow the Board to adopt rules regarding course content, approved course offerings, and other criteria for compliance with its education program.

Amends GS 143-151.57 (pertaining to fees set by the Home Inspection Licensure Board) to add an online examination fee of \$135. Changes the current \$80 exam fee to specify that the fee applies to in-person examinations.

Amends GS 143-151.13(f) (required standards and certificates for Code Enforcement Officials) to require individuals licensed as an architect, general contractor, plumbing or heating contractor, electrical contractor, or professional engineer, to pass an examination in order to be issued a standard certificate by the Code Officials Qualifications Board (replacing the requirement for these licensed individuals to only successfully complete a short course relating to the State Building Code regulations and Code enforcement administration prescribed by the Board). Makes technical changes. Enacts new GS 143-161.13(g) to allow the Code Officials Qualification Board in conjunction with the Department of Insurance to establish a voluntary apprenticeship program for code enforcement certificates issued under GS 143-151.13. Specifies that the apprenticeship program must be a combination of course study and work under a certified code enforcement official in that discipline with a requirement to pass a standard exam before a certificate is issued. Authorizes a fee for the program, not to exceed the cost of the program.

Amends GS 143-151.16 (certification fees) by requiring the Code Officials Qualification Board to approve course offerings for all continuing education programs, and authorizing the Board to charge a fee of up to \$500 per course for review and approval of the continuing education program.

Amends GS 87-7 and GS 87-8 (pertaining to records and rosters of licensed general contractors) as follows. Eliminates the requirement for funds of the State Licensing Board for General Contractors (GC Board) which remain after payment of the current year's expenses by paid over to the UNC System for the School of Engineering through the NC Engineering Foundation, less up to 10% of the total operating expense incurred for emergency use. Authorizes the GC Board to expend

funds to provide health insurance for its employees. Deletes the requirement that the GC Board keep a record of the Board's proceedings and a register of all applicants for licensure. Instead, requires that the GC Board keep records of all of the previously listed information of each applicant to be kept in the registry except for the applicant's place of residence for the registry. Deletes the requirement to prepare an annual roster of licensees, and the requirement to file an annual report of the Board's transactions with the Governor/Secretary of State. Makes technical and conforming changes.

Amends GS 160D-1110 (building permits under the State Building Code) as follows. Makes organizational and clarifying changes. Removes the automatic exemption from obtaining building permits for existing installations of load control devices or equipment by an electronic power supplier or its contractor supervised by a licensed electrical contractor under certain conditions. Requires each local government to submit an annual report to the Department of Insurance on the building permits issued by that local government during the fiscal year in a format specified by the Department, to be broken down by category of permit and to include exemptions under GS 87-14 (regulations on the issuance of building permits). Makes technical and organizational changes.

Amends GS 113A-119 to require permit applications to undertake development in any area of environmental concern to include the name and license number of the general contractor, if applicable, and an estimate of the cost of the project.

Amends GS 87-25.1 regarding the authority of the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractor to seek injunctive relief for violations of Article 2. Enacts a new subsection to mandate that the court to award the Board its reasonable attorney's fee, up to \$5,000, plus the costs associated with obtaining the relief and the investigation and prosecution of the violation (replacing existing law which authorizes the court to award the Board its reasonable costs associated with the investigation and prosecution). Makes technical changes. Amends GS 87-48 to enact an identical subsection applicable to actions brought by the Board of Examiners of Electrical Contractors for violations of Article 4.

Amends GS 87-43.3(a)(1) regarding limited electrical contractor licenses. Now sets the restrictions of a limited license to require that the equipment or installation used in the project is rated at not more than 1,000 (was, 600) volts. Effective October 1, 2023, and applies to applications for licensure submitted on or after that date.

Amends GS 87-43.1(8) to exclude from the provisions of Article 4, regulating electrical contractors, the bonding of corrugated stainless steel tubing gas piping systems as required under the identified section of the most current (was, 2012) NC Fuel Gas Code.

Amends GS 87-44 to add a \$25 fee for each qualified individual employed for each principal and each branch place of business. Makes organizational and technical changes.

Enacts GS 143-254.6, establishing the following required actions of the Wildlife Resources Commission (Commission) regarding the development of boating access areas, public fishing areas, and game lands of the Commission which require an estimated expenditure of non-General Fund money of \$750,000 or less. Requires the Commission to conduct fee negotiations for all design contracts; supervise the letting of all construction and design contracts; and develop procedures governing the responsibilities of the Commission to perform the duties of the Department of Administration and the Director or Office of State Construction under specified state law. Directs the Commission to use standard contracts in current use by the Office of State Construction for State capital improvement projects. Bars dividing projects to evade the monetary threshold set. Explicitly prohibits the Department of Administration from being the awarding authority for contracts subject to these provisions. Establishes annually reporting requirements of the Commission to the State Building Commission and lists required content. Effective July 1, 2023.

**Intro. by Brody.**

[GS 87, GS 113A, GS 143, GS 160D](#)

[View summary](#)

**[Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Building and Construction, Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of Insurance, State Government, State Property, Local Government](#)**

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 192: 2023 WILDLIFE RESOURCES CHANGES.-AB**

*House: Withdrawn From Com*

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

#### **H 223: OSHR/VARIOUS SHRA CHANGES.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 298: CRIMINAL FALSIFICATION OF MEDICAL RECORDS.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 299: PERPETUAL CARE OF CERTAIN CEMETERIES.**

*House: Withdrawn From Com*

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

#### **H 314: CONFLICTS OF INTEREST TRAINING/LEAS. (NEW)**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 365: REQUIRE THAT JURORS BE US CITIZENS.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 480: ADOPT DOC WATSON DAY.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 617: RIVER HERRING LIMITED HARVEST.**

*House: Serial Referral To Appropriations Stricken*

*House: Serial Referral To Finance Stricken*

*House: Withdrawn From Com*

*House: Re-ref to the Com on Marine Resources and Aquaculture, if favorable, Wildlife Resources, if favorable, Appropriations, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House*

#### **H 644: SOCIAL MEDIA ALGORITHMIC CONTROL IN IT ACT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Judiciary 3, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House*

#### **H 815: THE LOVING HOMES ACT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Families, Children, and Aging Policy, if favorable, Rules, Calendar, and Operations of the House*

**H 834: JUVENILE CAPACITY.**

*House: Passed 1st Reading*

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

**H 835: EXPAND THE WAGES PROGRAM.**

*House: Passed 1st Reading*

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

**H 836: REENTRY REFORM/MODIFICATION.**

*House: Passed 1st Reading*

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

**H 837: MAKE NORTH CAROLINA MORE DEMENTIA-CAPABLE.**

*House: Passed 1st Reading*

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

**H 838: SUPPORT FOR FAYETTEVILLE POLICE DEPARTMENT.**

*House: Passed 1st Reading*

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

**H 839: FUNDS FOR VETERANS PARK IN FAYETTEVILLE.**

*House: Passed 1st Reading*

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

**H 840: FAYETTEVILLE CITY CORRIDOR IMPROVEMENT FUNDS.**

*House: Passed 1st Reading*

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

**H 841: HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS.**

*House: Filed*

**H 842: WORKFORCE DEVELOPMENT & HOUSING ACT.**

*House: Filed*

**H 843: COMMUNITY VIOLENCE INTERVENTION FUNDING.**

*House: Filed*

**H 844: SCHOOL MEALS FOR ALL ACT.**

*House: Filed*

**H 845: UPDATE STRUCTURED SETTLEMENT PROTECTION ACT.**

*House: Filed*

**H 846: FUNDS FOR NC PRE-K AND SMART START.**

*House: Filed*

**H 847: ENERGY SAVINGS INCENTIVES/STATE AGENCIES.**

*House: Filed*

**H 848: SET PAY SCHEDULES/JUVENILE JUSTICE POSITIONS.**

*House: Filed*

**H 849: EXPAND & ENHANCE THE TEACHING FELLOWS PROGRAM.**

*House: Filed*

**H 850: LICENSING BOARD/CONTRACTORS & INSPECTORS.**

*House: Filed*

**S 44: MOBILE SALONS/COSMETIC SERVICES AT WEDDINGS. (NEW)**

*Senate: Reptd Fav*

**S 157: LIMITED PROVISIONAL LICENSE MODIFICATION.**

*Senate: Ratified*

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

*Senate: Reptd Fav*

**S 206: STOP COUNTERFEIT PILLS ACT.**

*House: Withdrawn From Com*

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

**S 308: GUARDIANSHIP RIGHTS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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

*Senate: Reptd Fav*

**S 339: MODIFY LMTD DRIVING PRIVILEGE/CRIMINAL LAWS.**

*Senate: Reptd Fav*

**S 360: MODIFY VICTIM AND SEX OFFENSE REGISTRY LAWS.**

*Senate: Reptd Fav*

**S 384: CARBON MONOXIDE DETECTORS/SCHOOL BLDGS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 438: NCORR ADMINISTRATIVE MODIFICATIONS.**

*Senate: Sequential Referral To State and Local Government Stricken*

*Senate: Sequential Referral To Commerce and Insurance Added After Judiciary*

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

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 515: WATER AND SEWER AFFORDABILITY ACT.**

*Senate: Reptd Fav*

**S 531: DAM SAFETY LAW CLARIFICATION.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 565: REMOVING BARRIERS TO JOBS AND HOUSING.**

*Senate: Reptd Fav*

**S 607: TEMPORARY SOLUTIONS PROGRAM CHANGES.**

*Senate: Reptd Fav*

**S 613: SEDIMENTATION BUFFER FOR TROUT WATERS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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

*Senate: Reptd Fav*

**S 631: FAIRNESS IN WOMEN'S SPORTS ACT.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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

*Senate: Withdrawn From Com*

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

**S 692: COMMUNITY COLLEGE GOVERNANCE.**

*Senate: Reptd Fav*

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

*Senate: Withdrawn From Com*

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

## LOCAL BILLS

**S 143: PINEHURST-LIMIT COMMERCIAL DEVEL. MORATORIA.**

*Senate: Withdrawn From Com*

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

**S 203: AUTHORIZE SKATEBOARD RESTRICTIONS/POLK CO.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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