

The Daily Bulletin: 2023-05-23

PUBLIC/HOUSE BILLS

H 87 (2023-2024) **PROBATION MODIFICATIONS/SHERIFF AUTHORITY. (NEW)** Filed Feb 9 2023, *AN ACT TO ALLOW DISTRICT ATTORNEYS TO FILE PROBATION MODIFICATION PETITIONS, TO ALLOW PROBATION OFFICERS TO REDUCE A TERM OF SUPERVISED PROBATION IN CERTAIN INSTANCES, AND TO EXEMPT SHERIFF'S OFFICES FROM CERTAIN STATE CONTRACTING REQUIREMENTS WHEN CONTRACTING FOR FOOD AND FOOD SERVICES AT DETENTION FACILITIES.*

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

Amends new GS 15A-1344(b2) that allows a District Attorney of the prosecutorial district where the probation was imposed to file a petition to reduce, terminate, extend, modify, or revoke probation in the district court district or superior court district or set of districts, as the case may be, where probation was imposed, based on a violation of a condition of probation, by adding that if a motion to extend is filed, then an indigent probationer is entitled to services of counsel. Makes conforming changes to GS 7A-451.

Adds the following content.

Enacts new GS 15A-1344.2 (pertaining to delegation of authority to reduce a term of supervised probation) as follows. Permits the court to delegate, by written order filed with the clerk of superior court, the court's authority to reduce a term of supervised probation when a probation officer finds that an offender (1) is currently in compliance with the terms of the offender's probation and (2) has made diligent progress regarding the offender's probation, in any instances where the court may reduce a term of supervised probation. Allows the delegation of the court's authority to be revoked by the court at any time by a written order filed with the clerk of superior court as soon as practicable following the revocation. Specifies notice requirements if the delegation is revoked. Specifies that any order must require that no term of supervision be reduced unless all restitution ordered as part of the sentence has been paid in full.

Directs that proof of any one or more of the following three things, demonstrated to the satisfaction of the probation officer, constitutes diligent progress: (1) the successful completion of a validated drug or mental health treatment program, evidenced-based program, or any other vocational or life skills program; (2) the successful completion of at least six months of active enrollment in an education program in which the offender is seeking a trade certification, high school diploma, General Educational Development (GED) degree, associate degree, bachelor's degree, or graduate degree; or (3) the successful completion of at least six months of employment, demonstrated by proof of wages.

Provides that a reduction of a term of supervision does not become effective until all of the following occur: (1) the probation officer files a written affidavit with the clerk of superior court seeking a final order of the court confirming the probation officer's decision to reduce the offender's term; (2) notification is given to the district attorney and the victim and, if requested by either the district attorney or the victim, a hearing and an opportunity to be heard is granted; and (3) the court approves the reduction.

Specifies that a probation officer may not reduce an offender's term of supervised probation pursuant to this statute by more than one-fourth the amount of time the offender was originally required to serve on supervised probation. If a probation officer reduces an offender's term of supervised probation pursuant to this section on more than one occasion, the total reduction of the offender's term of supervised probation may not exceed one-fourth the amount of time the offender was originally required to serve on supervised probation.

Effective December 1, 2023, and applies to delegations of court authority entered on or after that date.

Amends GS 143-131.1 (exemption of certain county sheriff's offices from the requirements of state public contract law) to exempt all county sheriff's offices from the procedures related to the procedure of letting of public contracts and bidding requirements of GS 143-131(a) when purchasing food and supplies for county detention facilities. (Currently, only Alamance,

Anson, Beaufort, Caswell, Catawba, Cherokee, Chowan, Cleveland, Craven, Cumberland, Currituck, Dare, Davidson, Duplin, Gaston, Granville, Guilford, Haywood, Henderson, Iredell, Jones, Lincoln, Madison, Onslow, Orange, Pamlico, Pasquotank, Randolph, Rockingham, Sampson, Stanly, Transylvania, Wake, Washington, and Yancey county sheriff's offices are exempted).

Makes conforming changes to the act's titles.

Intro. by N. Jackson, Stevens, Carson Smith, Biggs.

GS 7A, GS 15A, GS 143

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections
(Sentencing/Probation), Criminal Law and Procedure,
Government, Public Safety and Emergency Management**

H 412 (2023-2024) [MODIFY PROPERTY TRANSFER TO PENDER COUNTY](#). Filed Mar 16 2023, *AN ACT TO MODIFY THE TERMS OF CONVEYANCE OF A CERTAIN PARCEL OF LAND TO PENDER COUNTY TO ENABLE CERTAIN FINANCING OPTIONS NEEDED IN THE CONSTRUCTION OF A JAIL FACILITY*.

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

Make a clarifying change to the reference to property on which the jail facility is to be constructed in Section 2 of the act.

Intro. by Carson Smith.

UNCODIFIED, Pender

[View summary](#)

**Government, Public Safety and Emergency Management,
State Agencies, Department of Administration**

PUBLIC/SENATE BILLS

S 345 (2023-2024) [ALARM SYSTEMS LICENSING ACT MODERNIZATION](#). Filed Mar 21 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE ALARM SYSTEMS LICENSING ACT*.

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

Amends GS 75D-2 by making clarifying changes and making language gender neutral. Also removes references to a background check in (d).

Amends GS 75D-2.1 to allow the State Bureau of Investigation (was, State Bureau of Investigation, Division of Criminal Information Network), to provide a criminal record check to the Security Systems Board (Board) for a person who has applied for a new or renewal license or registration.

Amends the powers of the Board in GS 74D-5 by clarifying that a city or county may require a security systems business (was, security business) to register and supply information on its license.

Amends GS 74D-6 by making a technical change to reinstate provision referring to license applications.

Amends GS 74D-8 by making organizational and clarifying changes.

Amends GS 74D-8.1 by making a clarifying change.

Amends GS 74D-30 by removing outdated fee references. Makes additional technical changes.

Amends GS 74D-7 by making a clarifying change.

Intro. by Daniel.

GS 74D

[View summary](#)

**Business and Commerce, Occupational Licensing,
Government, Public Safety and Emergency Management**

LOCAL/HOUSE BILLS

H 285 (2023-2024) [ARCHDALE NO SATELLITE ANNEX. CAP/ZOO ANNEX. \(NEW\)](#) Filed Mar 6 2023, *AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF ARCHDALE AND ADDING CERTAIN DESCRIBED PROPERTIES TO THE CORPORATE LIMITS OF THE TOWN OF ASHEBORO.*

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

Adds the described properties to Asheboro's corporate limits, effective June 30, 2023. Specifies that property in this described territory as of January 1, 2023, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2023.

Makes conforming changes to the act's effective date and to the act's titles.

Intro. by Biggs, N. Jackson.

[Guilford, Randolph, GS 160A](#)

[View summary](#)

LOCAL/SENATE BILLS

S 208 (2023-2024) [GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.](#) Filed Mar 6 2023, *AN ACT CLARIFYING THE TYPE OF PROPERTY THAT SHALL REVERT TO THE ORIGINAL GRANTOR IF THE GREATER ASHEVILLE REGIONAL AIRPORT CEASES TO OPERATE OR THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY IS DISSOLVED.*

House committee substitute to the 2nd edition makes the following changes. Changes the effective date from May 1, 2023, to when the act becomes law.

Intro. by Moffitt.

[UNCODIFIED, Buncombe, Henderson](#)

[View summary](#)

[Transportation](#)

S 248 (2023-2024) [NASH BD. OF EDUC/NO. OF MEMBERS/DISTRICTS. \(NEW\)](#) Filed Mar 8 2023, *AN ACT TO DECREASE THE SIZE OF THE NASH BOARD OF EDUCATION TO SEVEN MEMBERS; TO ALIGN THE DISTRICTS FOR THE NASH BOARD OF EDUCATION WITH THE DISTRICTS OF NASH COUNTY BOARD OF COMMISSIONERS; AND TO PROVIDE FOR THE BOUNDARIES OF THE NASH SCHOOL ADMINISTRATIVE UNIT TO BE IDENTICAL TO THE BOUNDARIES OF NASH COUNTY EFFECTIVE JULY 1, 2024.*

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

Amends the provision related to the Nash Board of Education as follows. No longer requires a person elected to the Board to take office on the first Monday in December following their election, with terms of office dating and extending from that time. Requires the Board to organize according to GS 115C-41 and for vacancies to be filled in accordance with GS 115C-37(f). Requires, in order to be eligible to fill a vacancy, that a member reside in the district in which the vacating member was elected to serve. Provides that members elected to the board in 2022 continue to serve until the end of the elected term; if a member elected in 2022 vacates office for any reason before the end of the elected term, the vacancy must not be filled (was, all

members residing in Nash County who were elected to the Board in 2022 continue to serve on the Board until the end of their term or a vacancy occurs due to resignation or other causes). Makes additional clarifying changes.

Adds the following new content.

Requires, effective July 1, 2024, that the boundaries of the Nash School Administrative Unit (Unit) be identical to the boundaries of Nash County. Requires territory that was previously part of the Unit located outside of the County's boundaries be annexed to the unit of the county in which the territory is located and requires those local boards of education gaining territory annexed into the school unit to revise electoral districts. Also effective July 1, 2024, requires the Nash Board of Education to operate and administer all of the public schools located in the Unit.

Repeals SL 2016-14 (revising Senate bill 612, which provided for the merger and consolidation of the school administrative units in Nash County and the City of Rocky Mount). Leaves in place the name of the Nash School Administrative Unit and the Nash Board of Education.

Requires that the boards of the school administrative units of Nash and Edgecombe, in consultation with the boards of county commissioners of Nash and Edgecombe counties, by November 15, 2023, submit a written plan of transfer that includes the agreement of those four boards as to the transfer of the portion of the Unit located in Edgecombe County to the Edgecombe County Public School System. Sets out items that must be included in the plan related to employment, preparation of budgets, student assignments, and other related matters; transfer of funds, contracts, obligations, assets, and liabilities; and any other appropriate subjects or functions necessary for the orderly transfer. If a plan is not submitted by that date, the State Board of Education is required to prepare a written plan of transfer. Prohibits modifying the agreement unless agreed to by all four boards and requires an act of the NCGA to do so.

Vests title to and ownership of all property of the Nash Board of Education located in Edgecombe County in the Edgecombe County Board of Education and sets out related requirements and deadlines.

Sets out provision governing the transfer of claims and demands related to the Unit's public schools, and the Unit's obligations and liabilities.

Instead of repealing specified provisions, repeals all of SL 1991-391, which merged the Rocky Mount City and the Nash County School Administrative Units, and makes this repeal and the repeal of Section 1 of SL 2006-87 effective July 1, 2024.

Repeals Section 4 of SL 2003-346, and SL 2007-316, which amended SL 1991-391 by changing the boundary line, effective July 1, 2024.

Makes additional organizational changes. Amends the act's titles.

Intro. by Barnes, B. Newton.

[Nash](#)

[View summary](#)

[Education](#)

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

House committee substitute to the 3rd edition makes the following changes. Amends Section 4 of the act by adding that in 2024 and quadrennially thereafter, three members of the Polk County Board of Commissioners must be elected; in 2026 and quadrennially thereafter, two members must be elected.

Intro. by Moffitt.

[Henderson, Polk, Rutherford](#)

[View summary](#)

[Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 87: PROBATION MODIFICATIONS/SHERIFF AUTHORITY. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 116: MODIFY LAWS AFFECTING DISTRICT ATTORNEYS.

Senate: Reptd Fav

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

H 145: SOCIAL SERVICES REFORM.

Senate: Withdrawn From Com

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

H 193: VARIOUS COURT CHANGES 2023.-AB

Senate: Withdrawn From Com

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

H 259: 2023 APPROPRIATIONS ACT.

House: Ruled Material

House: Cal Pursuant 36(b)

House: Placed On Cal For 05/24/2023

H 344: QRIS/STAR RATING SYSTEM REFORM.

Senate: Withdrawn From Com

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

H 347: SPORTS WAGERING.

Senate: Withdrawn From Com

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

H 412: MODIFY PROPERTY TRANSFER TO PENDER COUNTY.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 544: LIMITED SHARK FISHING TOURNAMENT MORATORIUM.

Senate: Reptd Fav

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

H 681: INTERSTATE MED. LIC. COMPACT/MIL. LICENSURE.

House: Reptd Fav

House: Re-ref Com On Finance

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

House: Reptd Fav

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

S 220: CONFIRM PHIL BADDOUR/INDUSTRIAL COMMISSION.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 05/24/2023

S 221: CONFIRM THERESA STEPHENSON/BD OF REVIEW.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 05/24/2023

S 291: QRIS/STAR RATING SYSTEM REFORM.

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

S 345: ALARM SYSTEMS LICENSING ACT MODERNIZATION.

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

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

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

S 549: DEVELOPMENT MORATORIA/TRANSPORTATION PROJECTS.

House: Reptd Fav
House: Re-ref Com On Transportation

S 746: CONFIRM CHARLOTTE MITCHELL/UTILITIES COMM.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate
Senate: Withdrawn From Com
Senate: Re-ref Com On Select Committee on Nominations

LOCAL BILLS

H 73: TOWN OF BRIDGETON - CHARTER AMENDMENT (NEW).

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

H 229: STAGGER/EXTEND TERMS OF TOWN OFFICERS/HALIFAX.

Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
Senate: Ordered Enrolled

H 247: AVERY/CROSSNORE DEED RECORD./DELINQUENT TAXES.

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

H 285: ARCHDALE NO SATELLITE ANNEX. CAP/ZOO ANNEX. (NEW)

House: Reptd Fav Com Substitute
House: Ruled Material
House: Re-ref Com On Finance

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

Senate: Passed 2nd Reading
Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 453: CABARRUS COUNTY BD COMMISSIONER/VACANCIES. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

S 126: CITY OF ASHEVILLE/PARKING METER PROCEEDS.

House: Reptd Fav

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

S 179: EXTEND SUNSET/BUNCOMBE CO./CC PROJECTS.

House: Reptd Fav

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

S 200: ONSLOW COUNTY PUBLIC NOTICES. (NEW)

House: Reptd Fav

House: Re-ref Com On Finance

S 203: AUTHORIZE SKATEBOARD RESTRICTIONS/POLK CO.

House: Reptd Fav

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 05/24/2023

S 208: GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.

House: Reptd Fav Com Substitute

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 05/24/2023

S 248: NASH BD. OF EDUC/NO. OF MEMBERS/DISTRICTS. (NEW)

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Placed On Cal For 05/25/2023

S 265: INCREASE MUNICIPAL ELECTION PARTICIPATION ACT.

House: Reptd Fav Com Substitute

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

S 276: UNION COUNTY/USE WHEEL LOCKS.

House: Reptd Fav

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 05/24/2023

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

House: Reptd Fav

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

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

House: Reptd Fav

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