

## The Daily Bulletin: 2023-06-07

### PUBLIC/HOUSE BILLS

H 56 (2023-2024) [SAFE FIREARM STORAGE/SALES TAX EXEMPTION. \(NEW\)](#) Filed Feb 6 2023, *AN ACT TO PROVIDE A TEMPORARY SALES TAX EXEMPTION FOR EQUIPMENT DESIGNED TO PREVENT UNAUTHORIZED PERSONS FROM ACCESSING FIREARMS.*

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

Amends GS 105-164.13 by amending the equipment designed to prevent unauthorized access to firearms that is exempt from sales tax to require devices designed to prevent access to a firearm by any means other than a key, combination, biometric data, or other similar means to be one that is for home use. Changes the effective from July 1, 2023, to October 1, 2023, applicable to sales made on or after that date, and changes the expiration date to October 1, 2024, for sales made on or after that date.

Deletes proposed new GS 105-153.11, which granted a tax credit to those who purchase any of the qualifying firearm safety devices at retail equal to the lesser of the cost of the equipment paid during the taxable year or \$500.

Makes conforming changes to the act's titles.

**Intro. by Paré, Bell, Adams, Dahle.**

GS 105

[View summary](#)

**Government, Tax**

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

Senate committee substitute to the 3rd edition makes the following changes.

Deletes Section 1.2 of the act, which amended GS 75A-3 to allow the Wildlife Resources Commission to retain \$100,000 per quarter from the certificate of number fees to be used for WRC-directed dredging projects.

Adds a new section amending GS 14-401.24, which makes it a Class 1 misdemeanor for a person to fish or hunt using an unmanned aircraft system. Amends the definition used in this statute for fishing so that it remains defined as it is in GS 113-130, but adds an exception for when an unmanned aircraft or unmanned aircraft system is used during, immediately preparatory to, or immediately subsequent to the taking of fish for (1) spotting; locating; recording, broadcasting, or streaming video of fish; or (2) deploying bait. Applies to activities occurring on or after July 1, 2023.

**Intro. by Adams, Clampitt.**

GS 14, GS 75A, GS 100, GS 113, GS 143

[View summary](#)

**Animals, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Government, Public Safety and Emergency Management, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)**

Senate committee substitute to the 3rd edition makes the following changes.

Part I.

Section 1.

Deletes prior section 1, which would have: (1) allowed healthy cats impounded at an animal shelter without discernable indication of ownership to be ear-tipped, sterilized, and vaccinated and returned to the place where trapped; (2) allowed the hold requirement for these cats to be waived under certain circumstances; and (3) required animal shelters to report the number of animals transferred to animal welfare organizations.

Inserts new section 1 which changes one of GS 143-214.5(d3)'s six listed circumstances that must be met for a local government implementing a water supply watershed program to allow an applicant to exceed the allowable density under the applicable water supply watershed protection rules so that at the election of the property owner (currently, it is at the property owner's sole discretion and at the voluntary election), the stormwater from any net increase in built-upon area (currently, stormwater from all existing and new built-upon area) on the property above the preexisting development is treated in accordance with all applicable local government, State, and federal laws and regulations.

Section 2.

Deletes proposed change to GS 143-214.7(b2)(2) which would have allowed state or local stormwater programs to allow development within the area that would otherwise be required to be placed within a vegetative buffer if the stormwater runoff from the built-upon area of the vegetative buffer is collected, treated, and discharged so that it passes through a segment of the vegetated buffer managed so it otherwise complies with applicable state and federal stormwater management requirements. Keeps the current statutory language requiring the stormwater to be treated from the entire impervious area of the development. Now specifies that for the purposes of the subsection, the entire impervious area of the development does not include any portion of a project that is within an NC Department of Transportation (DOT) or municipal right-of-way. Now allows in new (b5) an applicant for a new stormwater permit, or the reissuance of a permit due to transfer, modification, or renewal, to have the option to submit a permit application for processing to the Department of Environmental Quality (DEQ) or an applicable unit of local government with permitting authority in whose jurisdiction the project to be permitted is located. Makes technical changes to GS 143-214.7(b3) and conforming changes to account for amended GS 143-214.5.

Section 3.

Amends GS 160A-314(a1) and GS 153-277 (rates for stormwater management programs cities and counties, respectively) to allow the rate fixing entity to take into account the stormwater control measures in use by the property in setting schedules of rates, fees, charges, and penalties.

Applies to stormwater program amendments and stormwater fee schedules adopted on or after the date the act becomes law.

Section 6.

Amends GS 113-170.3(d) to require that any person who recreationally harvests red drum, flounder, spotted seatrout, striped bass, or weakfish from coastal fishing waters, joint fishing waters, and inland fishing waters adjacent to coastal fishing waters must report that harvest to DEQ's Division of Marine in a manner consistent with rules adopted by the Marine Fisheries Commission. Requires any person holding a commercial fishing license engaged in a commercial fishing operation who harvests any fish regardless of sale, must report that harvest to the Division of Marine in a manner consistent with rules adopted by the Marine Fisheries Commission. Specifies that violations of these reporting rules are only punishable with a verbal warning. Makes conforming changes to section title. Effective December 1, 2024, and applies to violations committed on or after that date.

Amends GS 113-170.3 further, effective December 1, 2025, by increasing the penalty for violations to a warning ticket. Increases the penalty again, effective December 1, 2026, to an infraction punishable by a \$35 fine.

Requires the Marine Fisheries Commission to adopt temporary rules to implement this section and to adopt permanent rules to adopt the temporary ones.

### Section 7.1.

Amends GS 113-229 (pertaining to permits to dredge or fill in or about estuarine waters or State-owned lakes) by requiring DEQ to act on an application for a permit for activities in a United States Coast Guard marked navigational channel within 30 days after the completed application is filed, provided DEQ may extend such deadline by not more than an additional 30 days if necessary to properly consider the application, and failure to so act will automatically approve the application.

Enacts GS 143-214.1 which sets forth schedule for review of applications for water quality certifications filed with DEQ under Section 401 of the Clean Water Act. Specifies that DEQ review will be limited to water quality impacts from point source discharges from the proposed project into navigable waters located within the State and cannot consider water quality impacts from the activity as a whole. Requires DEQ to issue a certification upon determining that the proposed discharge from a point source of the proposed project into navigable waters will comply with State water quality standards. Allows DEQ to issue or deny an application or waive certification. Bars DEQ from requiring any applicant to withdraw an application. Applies to applications for 401 Certification pending or submitted on or after the section's effective date.

### Section 7.2.

Amends GS 143-215 (effluent standards or limitations) to specify that, except as required by section 402(o) of the Clean Water Act, no numeric effluent standard or limitation for a pollutant will be included in a water quality permit issued pursuant to Article 21 of GS Chapter 143 unless a numeric water quality criterion for the pollutant has been established by rule in compliance with the requirements of Article 2A of GS Chapter 150B. Requires DEQ to prepare and submit the proposed changes to GS 143-215, as enacted by the act to EPA by no later than August 1, 2023. Specifies that these provisions are effective on the later of: (1) October 1, 2023, or (2) the first of a month that is 60 days after DEQ certifies to the Revisor of Statutes that EPA has approved the proposed changes to GS 143-215, as enacted by the act. Requires DEQ to provide this notice along with the effective date of the act on its website. Requires DEQ to submit quarterly reports to the specified NCGA committee on the status of their activities pertaining to notification to EPA as required by the act, starting September 1, 2023.

### Section 7.3.

Directs the Environmental Management Commission (EMC) to review 15A NCAC 02B .0208 (Standards for Toxic Substances and Temperature) to determine if the standards and methodologies for establishment of water quality criteria for specific pollutants included therein are scientifically sound, protective of human health and the environment, and result in water quality criteria that are technologically achievable without placing undue economic burdens on publicly-owned treatment works and their ratepayers. Requires EMC to examine the following part of its as: (1) other states' narrative water quality standards, and identify other states with more stringent and less stringent narrative standards and (2) requirements established by EPA for development of narrative water quality standards and water quality criteria by states, as well as any discretion given to states to set standards and criteria. Requires EMC to report its findings, including any recommendations for legislative action, to the specified NCGA committee by no later than April 1, 2024.

### Section 8.

Deletes proposed implementation of the Dwelling Wastewater Design Flow Rate Rule and replaces the section with the following. Amends GS 143-215.73F (shallow draft navigation channel dredging and aquatic weed fund) to expand the scope of one of the five listed authorized uses of the funds to providing funding for siting and acquisition of dredged disposal sites (currently, just those sites associated with the maintenance of the Atlantic Intercoastal Waterway between the border with the State of South Carolina, the Commonwealth of Virginia, under a memorandum of agreement between the State and federal government). Amends the depth components of the definition of shallow draft navigation channel to now mean (1) a waterway connection with a maximum depth of 18 feet, inclusive of the depth of overdepth for navigation depth compliance (was, just maximum depth of 16 feet). Adds the Mason Inlet, Rich Inlet, Tubbs Inlet and Southport Small Boat Harbors to specified waterways listed in the definition.

### Section 8.5.

Requires the Shallow Draft Applicability Rule (15A NCAC 01T .0201) to be implemented as follows. Requires that the rules that apply to the Shallow Draft Navigation Channel Dredging Fund (Fund) also apply to projects funded by the Fund that are related to dredging federally authorized channels where the work is performed by the United States Army Corps of Engineers. Requires DEQ to adopt rules to amend the Shallow Draft Applicability Rule so that it is consistent with this provision. Applies

the APA's effective date provisions triggered when 10 or more written objections are received to the rule (GS 150B-21.3). Sunsets this provision when the permanent rules become effective.

#### Section 9.

Enacts new Part 12, Submersible Polystyrene Devices, to Article 21 of GS Chapter 143, as follows. Sets forth eight defined terms. Prevents any person from installing a submersible polystyrene device on a dock, buoy, or float unless the device is encapsulated by a protective covering or designed to prevent the polystyrene from disintegrating into the waters of the State, except for persons engaging in the construction, maintenance, or operation of boats or vessels or polystyrene foam devices manufactured into extruded closed cell beads of no more than 0.125 inches in diameter. Lists five methods of encapsulation that are sufficient to satisfy the requirement, including concrete of at least 1 inch thickness or rigid plastics of at least .05 inches in thickness. Requires that any polystyrene foam flotation or part thereof installed, removed, replaced, or repaired during construction or maintenance activities must be effectively contained. All unused or replaced polystyrene foam must be removed from the waters of the State and lawfully disposed. Requires that all polystyrene foam flotation used on fuel floats or floating structures used to store, maintain, or repair boat engines must be encapsulated with materials that are not subject to degradation by fuel oils or products. Requires DEQ to adopt rules implementing Article 21 of GS Chapter 143. Bars any person from selling any polystyrene foam buoys, markers, ski floats, bumpers, fish trap markers, or similar devices unless encapsulated by a protective covering and rules adopted by DEQ. Effective January 1, 2025, and applies to any polystyrene foam flotation sold or used in the State after that date.

#### Section 10.

Amends GS 113A-107 (state guidelines for coastal area) to specify that all State guidelines, statements of objectives, policies, and standards to be followed in the use of land and water within the coastal area must directly reference the enabling statute or rule and be available to the public on DEQ's website.

Amends GS 113A-110 to require that the statements of objectives, policies, and standards in a county's land-use plan be written. Amends GS 113A-120 to require that the State guidelines or local land-use plans under which permits may be denied, must be written.

#### Section 10.5

Enacts GS 143B-279.4A, which requires that DEQ include the statutory or regulatory authority for conditions listed in its permits.

#### Section 11.

Deletes amendments to GS 143-214.26 which would have specified that no nutrient offset bank owned by a unit of local government, as defined in GS 143-214.11, may sell nutrient offset credits to a third party, and replaces it with the following.

Amends Section 15 of SL 2020-18 (specifying that the TDML transport factor applies when offsetting certain permitted wastewater discharges) as follows. Now directs that nutrient offset credits must be applied to a wastewater permit by applying the TMDL transport factor to the permitted wastewater discharge and to the nutrient offset credits as specified in the 1999 Phase I TMDL (currently, no reference to 1999 Phase I TMDL). Deletes provisions specifying that this applies only to wastewater discharge permit applications for a local government located in the Neuse River Basin with a customer base of fewer than 15,000 connections.

Expires when the permanent rule, as required by the act below, becomes effective.

Authorizes (was requires) DEQ to begin the modeling necessary to determine new transport zones and delivery factors for the Neuse River Basin for point source discharges and nutrient offset credits in conjunction with affected parties. Removes outdated language. Deletes requirement that EMC use DEQ's modeling and other information provided in the public comment period to adopt new transport zones and delivery factors by rule. Now, once DEQ completes watershed modeling, requires DEQ to provide EMC with a list of qualified professionals from which it will select two to validate DEQ's watershed modeling. Authorizes EMC to use the modeling (currently, requires) and other information provided during public comment to adopt new transport zones and delivery factors, if warranted by rule. Removes EMC's authority to adopt temporary rules. Makes conforming changes.

#### Section 12.

Amends GS 143-215.1(a)(12) (listing certain sources of water pollution that require permits by the EMC) by now only requiring an operator or builder of an animal waste management system to obtain a permit under Part 1A (currently, also Part 1) of Article 21 of GS Chapter 143.

Amends GS 143-215.10C (application and permits for animal waste management systems) as follows. Specifies that no permit shall be denied, and no condition attached to a permit, except when the EMC finds that the denial or conditions are necessary to effectuate the statutory purposes. Specifies that any person subject to the requirements of this statute who is required to obtain an individual or general permit from EMC for an animal waste management system must have a compliance boundary as may be established by rule or permit for various categories of animal waste management systems and beyond which groundwater quality standards may not be exceeded. Directs that multiple contiguous properties under common ownership and permitted for use as an animal waste management system will be treated as a single property for the purposes of determining a compliance boundary and setbacks to property lines. In instances where operation of an animal waste management system permitted under this statute results in the exceedance of groundwater quality standards at or beyond the compliance boundary, requires EMC to require the permittee to undertake corrective action, without regard to the date the system was first permitted, to restore the groundwater quality by assessing the cause, significance, and extent of the violation of standards and submit the results of the investigation and a plan, including a proposed schedule, for corrective action to DEQ's Secretary. The permittee must implement the plan as approved by, and in accordance with, a schedule established by the Secretary. In establishing a schedule for corrective action, the Secretary must consider any reasonable schedule proposed by the permittee. Provides for contested case review for permit applicants, permittees, or third party dissatisfied with a decision of the EMC.

Authorizes EMC to adopt rules to implement these amendments.

#### Section 13.

Deletes amendments to GS 160A-307.1 (limitation on city requirements for street improvements related to schools) which would have prohibited a local government from imposing any requirement regarding access points, driveway access, or curb cuts for a property to be used by a school that are in addition to those imposed by DOT, and replaces it with the following. Amends GS 143-214.26 (nutrient offset credits purchased to asset nutrient loadings to surface waters) to prevent any nutrient offset bank owned by a unit of local government from selling nutrient offset credits to an entity other than a government entity or a unit of local government. Applies to the sale of nutrient offset credits by a nutrient offset bank owned by a unit of local government on or after the act becomes law.

#### Section 13.5.

Amends GS 130A-291.1 (septage management programs) to short the time DEQ has to grant or deny a complete permit application from 90 days after receipt of a complete package to 30 business days of same. Specifies that if the permit application is denied, then DEQ must return the permit application citing the reasons for the denial in writing. Specifies that if DEQ does not act on a complete permit application for a new septage firm within 30 business days, the septage management firm is deemed permitted and may begin operation if all other requirements of vehicle identification and disposal requirements are met. Clarifies that for purposes of determining the pumper truck fees the number of pumper trucks operated by a septage management firm will be limited to only those pumper trucks that transport septage on State-maintained roads.

#### Section 15.

Amends the provisions pertaining to local permit programs for sewer extension and reclaimed water utilization under GS 143-215.1 as follows. Permits new dwelling units, including units that have yet to be connected and for which they have allocated capacity, to calculate wastewater flows at 75 gallons per day per bedroom, or at a lower rate approved by DEQ. Establishes the following requirements for sewer line extensions for wastewater treatment systems owned or operated by municipalities, counties, sanitary districts, or public utilities: (1) prior to actual flow exceeding 80% of the system's permitted hydraulic capacity, based on the average flow during the last calendar year, the permittee must submit an engineering evaluation with specified requirements concerning their future wastewater treatment, utilization, and disposal needs; (2) prior to actual flow exceeding 90% of the system's permitted hydraulic capacity based on the average flow during the last calendar year, the permittee must obtain all permits needed for the expansion of the system, and submit plans and a schedule for construction, if needed; and (3) allows approval of permits for facilities that exceed the 80% or 90% threshold from the previous subdivisions if additional flow in the facility is not predicted to exceed the facility's hydraulic capacity, the facility is in compliance with all other limits and requirements, and adequate progress is being made in developing the required engineering evaluations or plans and specifications.

Sets forth justification requirements that must be met if expansion is not proposed or proposed at a later date. Allows permittees for a wastewater system located in a county with a projected growth rate above 2% annually or in one of the top 20% of the fastest growing counties statewide, and are meeting flow and pollutant discharge limits set out in its current permit, may allocate its system's permitted hydraulic capacity up to 110% and increase the allocation up to 115% if the expansion of the system is within 24 months of completion. A permittee may not allocate more than the permitted projected capacity after expansion without approval by DEQ. Nothing in these provisions will be construed to limit DEQ from authorizing allocations over 115% of a system's hydraulic capacity.

Requires DEQ to adopt rules to implement amendments to GS 143-215.1.

#### Section 16.

Amends GS 130A-309.10 to prevent individuals from knowingly disposing of lithium-ion batteries in landfills or incinerators. Also prevents a person from knowingly dispose of photovoltaic (PV modules), or components thereof, in a sanitary landfill for the disposal of construction and demolition debris waste that is unlined or in any other landfill that is unlined. PV modules, or components thereof, not shipped for reuse or recycled must be properly disposed of in (1) an industrial landfill or (2) a municipal solid waste landfill. PV modules that meet the definition of a hazardous waste must comply with hazardous waste requirements for disposal and recycling, as applicable. Defines photovoltaic module or PV module as the smallest nondivisible, environmentally protected assembly of photovoltaic cells or other photovoltaic collector technology and ancillary parts, including associated wiring, control devices, and switches, to generate electrical power under sunlight. Authorizes DEQ to adopt rules to establish a regulatory framework for the proper handling of end-of-life lithium batteries and photovoltaic modules to implement the requirements of the section. Effective December 1, 2026, and applies to offenses committed on or after that date.

#### Section 17.

Amends GS 130A-310.37(a) (construction of the Brownfields Property Reuse Act) to clarify that the law is not intended to limit or preclude a prospective developer from performing an investigation of a brownfields property without prior approval from DEQ.

#### Section 21.

Amends GS 62-110.3 (bond required for water and sewer companies) to increase the minimum bond from \$10,000 to \$25,000. Now requires the Utilities Commission (UC) to appoint an emergency operator in compliance with procedure set forth in GS 62-116(b) (issuance of emergency authority) (currently, just with consent of owner or operator).

#### Part II.

Deletes amendments to GS 136-102.6 (compliance of subdivision streets with minimum standards of the Board of Transportation [BOT] required of developers) which would have specified that if DOT fails to make a final determination whether a subdivision street meets the BOT's minimum standards within 120 days of receipt of the petition for road addition, the subdivision street will be deemed to meet the BOT's minimum standards.

Deletes amendments to GS 143B-1333 which would have specified that the Department of Information Technology (DIT)'s procurement activities, including but not limited to the Statewide Information Technology Procurement Office (was, the Information Technology Strategic Sourcing Office) will be funded through a combination of administrative fees as part of the IT Supplemental Staffing contract, as well as fees charged to agencies using their services.

Deletes provision requiring the Standards and Inspections Division (SID) of the Department of Labor (DOL) to study existing requirements for electrical work conducted during the installation of elevators to identify deficiencies or conflicts in statute or rule in consultation with the NC Building Code Council.

Deletes amendments to GS 90-414.4 which have would (1) no longer required dentists to begin submitting demographic and clinical data to the Health Information Exchange (HIE) Network by January 1, 2023 and (2) changed the composition of the HIE advisory board.

Deletes provisions allowing for a marriage that meets all other requisites of marriage to be solemnized by a member of the North Carolina General Assembly from August 12, 2023, to August 15, 2023.

#### Section 22 (prior Section 12).

Amends GS 160D-702(c)(3) to prevent local government from requiring additional fire apparatus access roads (was, entrances) into developments of one or two family dwellings that are not in compliance with the number of entrance requirements into a residential subdivision set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings.

#### Section 22.5

Enacts GS 153A-461 (applicable to counties) and GS 160A-499.6 (applicable to cities) to bar counties and cities from regulating the operation of an online marketplace or from requiring an online marketplace to provide users' personally identifiable information, unless pursuant to subpoena or court order. Defines online marketplace to mean a person or entity that does both of the following: (1) provides for consideration, regardless of whether the consideration is deducted as a fee from the transaction, an online application, software, website, system, or other medium through which a service is advertised in this State or is offered to the public as available in this State or (2) provides, directly or indirectly, or maintains a platform for services by performing any of the following: (i) providing a payment system that facilitates a transaction between two platform users, (ii) transmitting or otherwise communicating the offer and acceptance of a transaction between two platform users, and (iii) owning or operating the electronic infrastructure or technology that brings two or more users together. Specifies that online marketplace does not include any local or State entity or vendor and that the section does not affect any authority otherwise granted to counties or cities by State statute.

#### Section 23.

Expands specified purposes of system development fees set forth in GS 162A-201(9) by adding recouping costs incurred by a local government unit to purchase capacity in, or reserve capacity supplied by, capital improvements or facilities owned by another local government unit to the described purposes in the definition.

Amends the requirements for written analysis used in calculating system development fee set forth in GS 162A-205 (supporting analysis for system development fees) by also requiring that the analysis include any purchased capacity in, or reserved capacity supplied by, capital improvements or facilities owned by another local government unit as part of the local government unit's overall capacity in capital improvements. Amends GS 162A-211 by adding to the permitted uses of system development fees to include payment of contractual obligations to another local government unit for capacity in such facilities owned by another local government unit. Specifies that the section clarifies and restates the intent of existing law and applies to ordinances adopted before, on, and after the act becomes law.

#### Section 25 (former Section 18).

Amends GS 90-413 (governing retention of medical records) to exempt a pharmacy maintaining a valid pharmacy permit or to a person licensed by the NC Veterinary Medical Board to practice veterinary medicine.

#### Section 28.

Prevents the Building Code Council (Council) from imposing any building code requirements that are inconsistent with the 2009 Building Code Chapter for Docks, Piers, Bulkheads, and Waterway Structures for piers or docks built in estuarine waters. Requires the Council to adopt rules to amend the Building Code so that it is consistent with this provision. Applies the APA's effective date provisions triggered when 10 or more written objections are received to the rule (GS 150B-21.3). Sunsets this provision when the permanent rules become effective.

#### Section 28.5.

Amends GS 143-138 (the State building code) to prevent any State, county, or local building code or regulation from allowing for the use of plastic pipe, plastic pipe fittings, and plastic plumbing appurtenances with an inside diameter two inches (51 millimeters) and larger in either of the following circumstances: (1) drain, waste, and vent conductors in buildings in which the top occupied floor exceeds 75 feet (23 meters) in height or (2) storm drainage conductors in buildings in which the top occupied floor exceeds 75 feet (23 meters) in height.

#### Section 29.

Disapproves the following rules adopted by the Department of Administration on October 20, 2022: NCAC 05A.0112 (definitions) and NCAC 05E.0101 (good faith efforts).

#### Section 30.

Amends definition of emergency in GS 166A-19.3 (the NC Emergency Management Act) to specify that an emergency may also be caused by a disruption in the supply chain that creates a significant threat to a local government's ability to acquire products or services required to provide essential services such as electricity and water to the populace or required to restore such essential services in the event of widespread or severe damage to the local government system used to provide such essential services.

Enacts GS 166A-19.16 (emergency supply chain declarations) to specify the public contracts provisions of GS Chapter 143 does not apply to any contracts that an entity that would otherwise be subject to these provisions may award for apparatus, supplies, materials or equipment, or construction or repair work requiring apparatus, supplies, materials or equipment, where such apparatus, supplies, materials or equipment is either: (1) listed in an Emergency Declaration arising from a supply chain disruption as described in GS 166A-19.3(6) or (2) listed in an order or regulation issued by an agency of the federal government under the Defense Production Act of 1950, as amended (specifies that this exemption terminates upon expiration or termination of the Emergency Declaration or order or regulation issued under the Defense Production Act of 4 1950, as amended).

### Part III.

Deletes amendments to GS 50B-1 which would have changed the definition of domestic violence to make the dating relationship provisions gender neutral and to specify that a dating relationship is a relationship of a romantic or intimate nature characterized by the expression of affectionate or sexual relations (was, one where the parties are romantically involved over time and on a continuous basis during the course of the relationship). Would have amended GS 50B-2 (motion for emergency relief) to specify that nothing in GS Chapter 50B prevents a court from issuing an ex parte order during the pendency of a case if such order is requested by an aggrieved party and the court believes there is a danger of acts of domestic violence against the aggrieved party or a minor child.

Deletes changes to GS 90-624 which would have exempted certified reflexologists from oversight by the NC Board of Massage and Bodywork Therapy.

### Section 31.

Amends GS 14-309.15 (real property as nonprofit raffle prize) to increase the maximum value of such property to \$2.25 million (currently, \$500,000) and to specify that the nonprofit offering the property as a prize must also provide the property free from all liens, provide an owner affidavit and indemnity agreement, and provide a title commitment for the property and shall make that commitment available for inspection upon request.

### Section 33.

Amends GS 143B-1405(a)(4) (pertaining to fund distribution to Commercial Mobile Radio Service [CMRS] providers) to only require prior approval for invoices that exceed 100% of the eligible costs allowed under by law. (Currently, prior approval must be obtained for invoices that are the less of either invoices that exceed 100% of the eligible costs allowed under by law or exceed 125% of the service charges remitted to the 911 Board by the provider). Repeals GS 143B-1405 (fund distribution for CMRS providers) effective July 1, 2024. Makes conforming change to GS 143B-1407 to account for repeal of GS 143B-1405. Amends GS 143B-1403(d) (adjustment of 911 charges) to narrow the purpose of the revenue from the charges to only funding allocations for monthly distributions to primary public safety answering points (PSAP) and State ESInet, effective July 1, 2024. (Currently, revenue must also be used to ensure full cost recovery for communications service providers over a reasonable period of time).

### Part IV.

Adds severability clause.

**Intro. by Riddell, Zenger, Brody, Chesser.**

[STUDY, GS 14, GS 62, GS 90, GS 95, GS 110, GS 113, GS 113A, GS 130A, GS 131F, GS 136, GS 143, GS 143B, GS 153, GS 153A, GS 160A, GS 160D, GS 162A, GS 166A](#)

[View summary](#)

**[Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Building and](#)**

**Construction, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Labor, Department of Public Safety, Department of Transportation, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Lottery and Gaming, Nonprofits**

H 640 (2023-2024) **CAREER PATH OPTIONS TRANSPARENCY ACT**. Filed Apr 17 2023, *AN ACT TO ENACT THE CAREER PATH OPTIONS TRANSPARENCY ACT*.

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

Requires the data annually collected through the longitudinal data system by the Department of Commerce, the Department of Labor, and the Department of Public Instruction and compiled for the "Know Before You Go" website and for the programs operated by local boards of education to be compiled to include the specified information as soon as practicable (previously did not include a timeframe).

**Intro. by Johnson, Winslow, Tyson, Paré.**

**APPROP, GS 115C, GS 116**

[View summary](#)

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

## **PUBLIC/SENATE BILLS**

S 195 (2023-2024) **UNC OMNIBUS**. Filed Mar 2 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS CONCERNING THE UNIVERSITY OF NORTH CAROLINA*.

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

Makes organizational changes to the existing Parts.

Part V (former Part III)

Amends GS 126-5(c1)(8) (pertaining to certain professional staff exempt from SHRA) to exempt from GS Chapter 126 UNC employees who are exempt from the minimum wage and overtime compensation of the Fair Labor Standards, which include categories of individuals already listed as well as dentists, pilots, and faculty of the NC School of Science and Mathematics.

Makes additional organizational changes.

Adds the following content to the bill.

Part II

Amends GS 116-209.61 by staggering the membership terms for members of the North Carolina Teaching Fellows Commission, with members appointed by the UNC Board of Governors to be appointed in even numbered years and members appointed by the NCGA appointed in odd-numbered years. Specifies that appointments begin July 1 and expire June 30; makes conforming changes.

Part III

Amends GS 116-209.90 by amending the requirements to be met for a high school graduate from the NC School of Science and Mathematics or UNC School of the Arts to receive a tuition grant, by amending the requirement that the student enroll as a full-time student in a UNC constituent institution in the next academic year after graduation, to give the State Education Assistance Authority discretion to postpone this requirement for up to one academic year after graduation if the student can demonstrate that any of the following have disrupted or interrupted their ability to enroll as a full-time student: (1) military service obligation, (2) serious medical debilitation, (3) short or long-term disability, or (4) other extraordinary hardship. Makes additional technical changes. Effective May 1, 2022.

#### Part IV

Amends GS 116-300 to require that the policy adopted by the UNC Board of Governor on free expression state that: (1) constituent institutions must remain neutral, as an institution, on the political controversies of the day; and (2) the constituent institution must not (was, may not take any action, as an institution, on the public policy controversies of the day in a way that requires) require students, faculty, or administrators to publicly express a given view on social policy.

**Intro. by Galey, Barnes, Proctor.**

[GS 116, GS 126, GS 153A](#)

[View summary](#)

[Government, State Agencies, UNC System, State Government, State Personnel](#)

## LOCAL/HOUSE BILLS

H 99 (2023-2024) [WAKE CO. BD. OF COMM. ELECTIONS. \(NEW\)](#) Filed Feb 13 2023, *AN ACT TO PROVIDE THAT MEMBERS OF THE WAKE COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM ELECTORAL DISTRICTS BEGINNING IN 2024 AND TO INCREASE THE SIZE OF THE WAKE COUNTY BOARD OF COMMISSIONERS TO NINE MEMBERS BEGINNING IN 2026.*

AN ACT TO PROVIDE THAT MEMBERS OF THE WAKE COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM ELECTORAL DISTRICTS BEGINNING IN 2024 AND TO INCREASE THE SIZE OF THE WAKE COUNTY BOARD OF COMMISSIONERS TO NINE MEMBERS BEGINNING IN 2026. SL 2023-30. Enacted June 7, 2023. Effective June 7, 2023.

**Intro. by Paré.**

[Wake](#)

[View summary](#)

[Government, Elections](#)

H 174 (2023-2024) [W-S/FORSYTH BD. OF ED./RURAL HALL EVEN-YEAR. \(NEW\)](#) Filed Feb 22 2023, *AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR EVEN-YEAR ELECTIONS IN THE TOWN OF RURAL HALL.*

AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR EVEN-YEAR ELECTIONS IN THE TOWN OF RURAL HALL. SL 2023-31. Enacted June 7, 2023. Effective June 7, 2023, except as otherwise provided.

**Intro. by Lambeth.**

[Forsyth](#)

[View summary](#)

[Education, Government, Elections](#)

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*

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

Amends Section 2 of the act to refer to Asheboro as a City instead of a Town. Makes conforming changes to the act's long title.

**Intro. by Biggs, N. Jackson.**

Guilford, Randolph, GS 160A

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

**H 56: SAFE FIREARM STORAGE/SALES TAX EXEMPTION. (NEW)**

*House: Reptd Fav Com Substitute*

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

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

*House: Ratified*

**H 103: GSC TECHNICAL CORRECTIONS 2023.**

*House: Ratified*

**H 130: ENERGY CHOICE/SOLAR DECOMMISSIONING RQMTS. (NEW)**

*Senate: Reptd Fav*

**H 140: CIVILIAN TRAFFIC INVESTIGATORS. (NEW)**

*Senate: Reptd Fav*

**H 149: REMOTE & VIRTUAL CHARTER/CC PRES CONFIRMATION. (NEW)**

*House: Withdrawn From Com*

*House: Added to Calendar*

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

**H 166: AMERICAN INDIANS GRADUATING WITH HONORS ACT.**

*Senate: Reptd Fav*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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

*Senate: Reptd Fav*

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

**H 347: SPORTS WAGERING/HORSE RACING WAGERING. (NEW)**

*House: Concurred On 3rd Reading*

*House: Ordered Enrolled*

**H 395: COUNTIES/SEMIANNUAL ASSESSMENTS.**

*Senate: Withdrawn From Com*

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

**H 475: REVISE CERTAIN BALLOT & AMP 48-HOUR REPORT REQS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 484: MENTAL HEALTH CONFIDENTIAL INFO. DISCLOSURE.**

*Senate: Reptd Fav*

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

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 600: REGULATORY REFORM ACT OF 2023.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Judiciary*

**H 640: CAREER PATH OPTIONS TRANSPARENCY ACT.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Appropriations*

**H 721: STATE PRECIOUS METALS DEPOSITORY STUDY.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on State Government, if favorable, Rules, Calendar, and Operations of the House*

**H 750: ADDRESS ESG FACTORS.**

*Senate: Reptd Fav*

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

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

*Senate: Withdrawn From Com*

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

**H 834: JUV CAPACITY/TRANSFER/INTERROG/CONFIDENTIAL. (NEW)**

*House: Amend Failed A1*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**S 195: UNC OMNIBUS.**

*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: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**S 299: REIMBURSE LATE AUDIT COSTS WITH SALES TAX REV.**

*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: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Ordered Enrolled*

**S 327: GSC ASSIGNMENTS OF ERROR.**

*House: Withdrawn From Com*  
*House: Re-ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House*

**S 329: RETAIL INSTALLMENT SALES ACT AMENDMENTS.**

*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Ordered Enrolled*

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

*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: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Ordered Enrolled*

**S 364: NONDISCRIMIN & DIGNITY IN STATE WORK. (NEW)**

*Senate: Ratified*

**S 512: GREATER ACCOUNTABILITY FOR BOARDS/COMMISSIONS.**

*House: Conf Com Appointed*

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

*Senate: Reptd Fav*

**S 582: NORTH CAROLINA FARM ACT OF 2023.**

*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Special Message Sent To Senate*  
*Senate: Special Message Received For Concurrence in H Com Sub*  
*Senate: Ref To Com On Rules and Operations of the Senate*

**S 625: CHILD WELFARE, SAFETY AND PERMANENCY REFORMS.**

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

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

*Senate: Reptd Fav*

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

*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Ordered Enrolled*

**S 748: VOTER FRAUD PREVENTION ACT.**

*Senate: Passed 1st Reading*

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

**LOCAL BILLS**

**H 31: ROWAN-SALISBURY BOARD OF EDUC. FILING PERIOD.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Com Sub*

**H 66: BOARDS OF EDUCATION ELECTIONS (NEW)**

*House: Withdrawn From Com*

*House: Added to Calendar*

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 99: WAKE CO. BD. OF COMM. ELECTIONS. (NEW)**

*House: Ratified*

*House: Ch. SL 2023-30*

**H 135: EVEN-YEAR ELECTIONS/CITY OF TRINITY.**

*Senate: Reptd Fav*

**H 174: W-S/FORSYTH BD. OF ED./RURAL HALL EVEN-YEAR. (NEW)**

*House: Ratified*

*House: Ch. SL 2023-31*

**H 227: EVEN-YEAR ELECTIONS/TOWN OF VANCEBORO.**

*Senate: Reptd Fav*

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

*House: Reptd Fav Com Sub 2*

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

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Placed On Cal For 06/13/2023*

**H 308: ALEXANDER CO. BD. OF ED. REFERENDUM.**

*Senate: Reptd Fav*

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

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 06/08/2023*

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