

The Daily Bulletin: 2023-06-12

PUBLIC/HOUSE BILLS

H 116 (2023-2024) [MODIFY LAWS AFFECTING DISTRICT ATTORNEYS](#). Filed Feb 14 2023, *AN ACT TO MODIFY VARIOUS STATUTORY PROVISIONS AFFECTING DISTRICT ATTORNEYS AND DISTRICT ATTORNEYS' OFFICES*.

AN ACT TO MODIFY VARIOUS STATUTORY PROVISIONS AFFECTING DISTRICT ATTORNEYS AND DISTRICT ATTORNEYS' OFFICES. SL 2023-34. Enacted June 9, 2023. Section 2 is effective July 1, 2023. Sections 6 and 7 are effective October 1, 2023 The remainder is effective June 9, 2023.

Intro. by Stevens.

[GS 7A, GS 132](#)

[View summary](#)

[Courts/Judiciary, Court System](#)

H 346 (2023-2024) [REORGANIZATION & ECONOMIC DEVELOPMENT ACT](#). Filed Mar 9 2023, *AN ACT TO ESTABLISH A PROCEDURE FOR A HOSPITAL SERVICE CORPORATION TO REORGANIZE BY CREATING A NONPROFIT HOLDING CORPORATION*.

AN ACT TO ESTABLISH A PROCEDURE FOR A HOSPITAL SERVICE CORPORATION TO REORGANIZE BY CREATING A NONPROFIT HOLDING CORPORATION. SL 2023-33. Enacted June 9, 2023. Effective June 9, 2023.

Intro. by Bradford, Setzer, Reives, Bell.

[GS 58](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Insurance, Health and Human Services, Health, Health Care Facilities and Providers, Nonprofits](#)

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*.

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. SL 2023-35. Enacted June 9, 2023. Effective June 9, 2023.

Intro. by Carson Smith.

[UNCODIFIED, Pender](#)

[View summary](#)

[Government, Public Safety and Emergency Management, State Agencies, Department of Administration](#)

PUBLIC/SENATE BILLS

S 100 (2023-2024) [AUTHORIZE HAW RIVER STATE TRAIL](#). Filed Feb 14 2023, *AN ACT TO AUTHORIZE THE HAW RIVER STATE TRAIL AND TO PROVIDE FOR ITS ADDITION TO THE STATE PARKS SYSTEM.*

AN ACT TO AUTHORIZE THE HAW RIVER STATE TRAIL AND TO PROVIDE FOR ITS ADDITION TO THE STATE PARKS SYSTEM. SL 2023-36. Enacted June 9, 2023. Effective June 9, 2023.

Intro. by Gale,

UNCODIFIED, Alamance, Chatham, Guilford, Orange, Rockingham

[View summary](#)

Environment, Environment/Natural Resources, Government, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), State Government, State Property

S 749 (2023-2024) [NO PARTISAN ADVANTAGE IN ELECTIONS](#). Filed Jun 12 2023, *AN ACT TO REVISE THE STRUCTURES OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS AND COUNTY BOARDS OF ELECTIONS, TO REVISE THE EMERGENCY POWERS OF THE EXECUTIVE DIRECTOR OF THE STATE BOARD OF ELECTIONS, AND TO MAKE VARIOUS CONFORMING CHANGES.*

Part I.

Current law (GS 163-19) requires that the Governor appoint the five members of the State Board of Elections (Board) from a list of nominees submitted by each State political party chair of the political party having the highest number of registered voters in the State. Board members are appointed for four-year terms, with no more than three of the five Board members permitted to be members of the same political parties. Board members cannot serve more than two consecutive four-year terms. The Governor also appoints any vacancies to the Board from a list of nominees provided by the political party leader of the vacating Board members' political party affiliation.

The act amends GS 163-19 to remove the Governor's appointment authority to the Board. It also increases the number of Board members from five to eight, all of whom would be appointed by the General Assembly as follows:

- Two members appointed by the President Pro Tempore of the Senate.
- Two members appointed by the Speaker of the House of Representatives.
- Two members appointed by the minority leader of the Senate.
- Two members appointed by the minority leader of the House of Representatives.

The act still requires the party chair of each of the two largest political parties to submit a list of nominees to the General Assembly but specifies that each party chair can only submit four names. Further, the General Assembly is only required to give due consideration to the nominations provided by the chairs and is not required to appoint members from those lists. Rather, the General Assembly can appoint any registered voter in the State. Specifies that members will serve four-year terms, and until their successors are appointed and qualified, beginning May 1 immediately following the elections of the members of the Council of State. If a vacancy occurs, then the initial appointing authority appoints a replacement for the remainder of the unexpired term. While a list of three names is provided by the political party leader affiliated with the vacating Board member to the initial appointing authority, the General Assembly is not required to appoint members from the lists of nominees submitted.

Now also specifies that if a chair of the Board is not elected within 30 days after new members are appointed to the Board, the chair may be filled by legislative appointment in the same manner as vacancies arising under GS 96-15.3(e) (allowing Board of Review appointments upon the recommendation of the President Pro Tempore of the Senate in odd-numbered years and appointments upon the recommendation of the Speaker of the House in an even-numbered year). Similarly specifies in GS 163-27 that if an Executive Director position is not filled within 30 days after new members are appointed to the Board, the Executive Director may be filled by legislative appointment in the same manner as vacancies arising under GS 96-15.3(e).

Makes conforming and technical changes to GS 163-20(d) (quorum of the Board) and GS 163-25 (authority of the Board to assist in litigation).

Amends GS 163-27.1 (emergency powers) to remove the Executive Director's power to exercise emergency powers to conduct an election in a district where the normal schedule for the election is disrupted by certain listed circumstances. Instead, emergency powers are to be exercised by the Board by affirmative vote. Makes conforming changes.

Effective January 1, 2025, administratively transfers the Board to the Department of the Secretary of State. Specifies that the transfer will have all the elements of a Type II transfer, as described in GS 143A-6 (i.e., the Board will be administered under the direction and supervision of that principal department (i.e., the Secretary of State), but will exercise all its prescribed statutory powers independently of the head of the principal department, except that under a Type II transfer the management functions of the Board, will be performed under the direction and supervision of the head of the Secretary of State).

Repeals provisions of law (GS 163-28) that establish the Board as an independent agency.

Notwithstanding GS 163-19, as amended by the act, requires the chairs of the two political parties to submit a list of names to the General Assembly on or before April 20, 2025. Requires the General Assembly to make appointments to the Board from those lists by no later than May 1, 2025. After members of the Board are appointed, specifies that a chair and an Executive Director must be appointed in accordance with the act.

Part II.

Currently, county boards of elections consist of five members who are registered voters of the counties where they are to act, appointed by the Board. Four members are appointed by the Board every two years, and one member is appointed by the Governor to be chair. Of the county board members appointed by the Board, two members each must be appointed from the two political parties having the highest number of registered affiliates in the State.

Amends GS 163-30 (pertaining to County Boards of Elections) to decrease the county board membership from five persons to four persons and to change the appointing authority to the following General Assembly members:

- One member appointed by the President Pro Tempore of the Senate.
- One member appointed by the Speaker of the House of Representatives.
- One member appointed by the minority leader of the Senate.
- One member appointed by the minority leader of the House of Representatives.

Requires the appointing authority to give due consideration to a list of names recommended for nomination from each of the two political parties having the highest number of registered affiliates in the State but does not require the appointing authority to appoint members from those recommendations, and instead may appoint any registered voter who is otherwise eligible under GS 163-30. Removes requirement that county board members reflect the two highest political parties of the State, described above. Requires a member to be elected annually as chair at the county board's first meeting in July; allows the position to be filled by legislative appointment if a chair is not elected within 15 days from the date new members are appointed to the county board. Makes conforming changes.

Notwithstanding GS 163-30, as amended by the act, requires the chairs of the two political parties to submit a list of names to the General Assembly on or before June 9, 2025. Requires the General Assembly to make appointments to the county boards of elections from those lists no later than June 24, 2025.

Part III.

Makes conforming changes to GS 163-182.6 (abstracts), GS 163-182.15(c) (copies of certificate of nomination or election or certificate of the results of a referendum to Secretary of State), and GS 163-182.17(d)(8) (certain Board duties pertaining to the Secretary of State) to account for Board's administrative transfer to the Secretary of State. Amends GS 163-182.13 (pertaining to new elections) to decrease the number of Board members required to agree to order a new election from 4 of 5 to 5 of 8.

Part IV.

Contains a severability clause.

Part V.

Specifies that except as otherwise provided, the act is effective when it becomes law.

Intro. by Daniel, P. Newton, Hise.

GS 163

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**Government, Elections, General Assembly, State Agencies,
Secretary of State, State Board of Elections, State
Government, Executive, Local Government**

LOCAL/SENATE BILLS

S 750 (2023-2024) **BRUNSWICK REGIONAL SANITARY DISTRICT/BOARD**. Filed Jun 12 2023, *AN ACT PROVIDING THAT THE GOVERNING BODY OF THE BRUNSWICK REGIONAL WATER AND SEWER SANITARY DISTRICT SHALL BE ELECTED AT LARGE FROM FIVE ELECTORAL DISTRICTS.*

GS 130A-50 (pertaining to election of sanitary board district) generally provides for nonpartisan elections of members of a governing body of a sanitary district for terms of either two or four years, with discretion to the county commissioners on whether to stagger terms.

Notwithstanding GS 130A-50, divides the Brunswick Regional Water and Sewer H2GO Sanitary District (H2GO District) into five electoral districts for purposes of election of the board of commissioners of the H2GO District. Specifies that candidates must reside in and represent the electoral districts established by the act but will be elected at large by the qualified voters of the H2GO District to each serve a term of four years, which must be staggered. Specifies that each district established must maximize the geographic diversity of the H2GO board of commissioners and contain not less than 1,000 qualified voters of the H2GO District. Requires that the H2GO District board of commissioners establish the districts after a public hearing. Provides for retention and storage of a map of all districts.

Requires the H2GO board of commissioners to adopt a resolution establishing those district boundaries by section not later than December 1, 2024. Specifies that the boundaries established will remain in effect until December 1, 2032, but thereafter must be reviewed, revised, or reestablished, as required to comply with the district requirements described above, every six years thereafter. Specifies that if the boundaries are reviewed, revised, or reestablished, the new boundaries will become effective not later than December 1 of that year.

Beginning in 2025, requires that elections will be held for Districts 3, 4, and 5. In 2027, specifies that elections will be held for Districts 1 and 2. Specifies that the provisions of GS 130A-50 will apply to elections of the board of commissioners of the H2GO District, except as otherwise provided by the act (described above).

Intro. by Rabon.

Brunswick

[View summary](#)

**Government, Elections, Local Government, Public Enterprises
and Utilities**

ACTIONS ON BILLS

PUBLIC BILLS

H 20: CASH COMMITMENT ACT.

Senate: Withdrawn From Com

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

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

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 140: CIVILIAN TRAFFIC INVESTIGATORS. (NEW)

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 166: AMERICAN INDIANS GRADUATING WITH HONORS ACT.

House: Ratified

H 192: 2023 WILDLIFE RESOURCES CHANGES.-AB

Senate: Reptd Fav

H 309: INSPECTION OF LOW-SPEED VEHICLES.

Senate: Withdrawn From Com

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

H 344: MENTAL HEALTH LIC. FAIR PRACTICE STDS. (NEW)

Senate: Reptd Fav

H 364: 2023 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

Senate: Reptd Fav

H 415: STOP ADDICTION FRAUD ETHICS ACT OF 2023.

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 455: EXPEDITE WATER/WASTEWATER FRANCHISE TRANSFER.

Senate: Withdrawn From Com

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

H 605: SCHOOL THREAT ASSESSMENT TEAMS.

Senate: Withdrawn From Com

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

H 608: SAFETY REQUIREMENTS FOR ELEVATORS.

Senate: Reptd Fav

H 750: ADDRESS ESG FACTORS.

Senate: Reptd Fav

S 58: PROTECT CRITICAL INFRASTRUCTURE.

House: Withdrawn From Com

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

S 195: UNC OMNIBUS.

Senate: Withdrawn From Com

Senate: Placed On Cal For 06/13/2023

S 552: MODIFICATIONS TO NOTARY PUBLIC ACT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 582: NORTH CAROLINA FARM ACT OF 2023.

Senate: Ratified

S 675: LAND USE CLARIFICATION AND CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 747: ELECTIONS LAW CHANGES.

Senate: Withdrawn From Com

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

S 749: NO PARTISAN ADVANTAGE IN ELECTIONS.

Senate: Filed

LOCAL BILLS

H 69: WARREN COUNTY OCCUPANCY TAX.

Senate: Withdrawn From Com

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

H 80: ST. JAMES OCCUPANCY TAX AUTHORIZATION.

Senate: Withdrawn From Com

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

H 133: GRAHAM COUNTY OCCUPANCY TAX.

Senate: Withdrawn From Com

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

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

House: Ratified

H 184: HAYWOOD COUNTY OCCUPANCY TAXES.

Senate: Withdrawn From Com

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

H 213: INDIAN TRAIL/STALLINGS OCCUPANCY TAX AUTH.

Senate: Withdrawn From Com

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

H 220: LANSING/JEFFERSON/STOKES OCC. TAX AUTH. (NEW)

Senate: Withdrawn From Com

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

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

House: Ratified

H 231: YANCEY COUNTY OCCUPANCY TAX MODIFICATION. (NEW)

Senate: Withdrawn From Com

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

H 232: MITCHELL COUNTY OCCUPANCY TAX INCREASE.

Senate: Withdrawn From Com

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

H 233: AVERY COUNTY OCCUPANCY TAX MODIFICATION.

Senate: Withdrawn From Com

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

H 238: TOWN OF CLAYTON OCCUPANCY TAX.

Senate: Withdrawn From Com

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

H 240: TOWN OF FOUR OAKS OCC. TAX AUTHORIZATION.

Senate: Withdrawn From Com

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

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

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

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

Senate: Ratified

S 750: BRUNSWICK REGIONAL SANITARY DISTRICT/BOARD.

Senate: Filed

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