

## The Daily Bulletin: 2023-10-23

### PUBLIC/HOUSE BILLS

H 415 (2023-2024) [STOP ADDICTION FRAUD ETHICS ACT OF 2023](#). Filed Mar 20 2023, *AN ACT ESTABLISHING THE STOP ADDICTION FRAUD ETHICS (SAFE) ACT OF 2023 AND AMENDING THE LAW REGARDING EARWAX REMOVAL BY AUDIOLOGISTS*.

AN ACT ESTABLISHING THE STOP ADDICTION FRAUD ETHICS (SAFE) ACT OF 2023 AND AMENDING THE LAW REGARDING EARWAX REMOVAL BY AUDIOLOGISTS. SL 2023-141. Enacted October 20, 2023. Effective January 1, 2024.

**Intro. by Reeder, Chesser, K. Baker.**

GS 90

[View summary](#)

**Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers, Public Health**

H 898 (2023-2024) [HOUSE REDISTRICTING PLAN 2023/H898 ED 2. \(NEW\)](#) Filed Oct 18 2023, *AN ACT TO REALIGN THE NORTH CAROLINA HOUSE OF REPRESENTATIVES' DISTRICTS*.

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

Amends GS 120-2 by amending the composition of the House districts as follows.

Changes the portions of Wake County that are in Districts 33, 34, 38, 39, and 49.

Changes the portions of Cumberland County that are in Districts 42, 44, and 45.

Removes a portion of Randolph County from District 54 and places it in District 70.

Changes the portions of Moore County that are in Districts 78.

Changes the portions of Mecklenburg County that are in Districts 99, 100, 102, 106, 107, and 112.

Changes the portions of Buncombe County that are in Districts 114, 115, and 116.

Changes the act's short title.

**Intro. by D. Hall, Stevens, Saine.**

GS 120

[View summary](#)

**Government, Elections, General Assembly**

### PUBLIC/SENATE BILLS

S 757 (2023-2024) [REALIGN CONGRESSIONAL DISTRICTS 2023/CST-4 \(NEW\)](#). Filed Oct 18 2023, *AN ACT TO REALIGN THE NORTH CAROLINA CONGRESSIONAL DISTRICTS*.

Senate committee substitute to the 1st edition makes the following changes to GS 163-201.

District 3: Adds all of Onslow County to the district (previously, Onslow County was in District 7). Now only includes specified portions of Sampson County (was, the entire county).

District 7: Moves portions of Cumberland County from District 3 to District 7. Changes which portions of Robeson County are in the district. Now includes specified portions of Sampson County in the district.

District 8: Changes which portions of Robeson County are in the district.

Amends the act's short title.

**Intro. by Hise, Daniel, P. Newton.**

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 758 (2023-2024) [REALIGN NC SENATE DISTRICTS 2023/SB758,2 ED. \(NEW\)](#) Filed Oct 18 2023, *AN ACT TO REALIGN THE NORTH CAROLINA SENATE DISTRICTS.*

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

Amends GS 120-1 by changing which portions of: (1) Durham County are in Districts 20 and 22 and (2) Guilford County are in Districts 27 and 28.

Changes the act's short title.

**Intro. by Hise, Daniel, P. Newton.**

[GS 120](#)

[View summary](#)

[Government, Elections, General Assembly](#)

## LOCAL/SENATE BILLS

S 68 (2023-2024) [VARIOUS LOCAL CHANGES. \(NEW\)](#) Filed Feb 6 2023, *AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE TO USE PROCEEDS FROM ON-STREET PARKING METERS TO FUND CAPITAL PROJECTS AND PROVIDE THAT REVENUES REALIZED FROM OFF-STREET PARKING FACILITIES MUST BE USED TO PAY BONDS ISSUED TO FINANCE SUCH FACILITIES OR FOR OTHER CAPITAL PROJECTS; TO CHANGE THE METHOD OF ELECTION IN THE CITY OF HENDERSONVILLE, THE VILLAGE OF FLAT ROCK, AND THE TOWN OF FLETCHER; TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF ARCHDALE; TO ADD CERTAIN DESCRIBED PROPERTIES TO THE CORPORATE LIMITS OF THE CITY OF ASHEBORO; TO CHANGE THE BOUNDARIES OF THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT; TO PROHIBIT HOMEOWNERS' ASSOCIATION OR UNIT OWNERS' ASSOCIATION REGULATION OR PROHIBITION OF DISPLAYS OF FLAGS OF BRANCHES OF THE ARMED FORCES OR FLAGS OF FIRST RESPONDERS BY OR WITH THE PERMISSION OF OWNERS ON THEIR PROPERTY IN UNION COUNTY; TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR THE TOWN OF HOOKERTON AND THE TOWN OF WALSTONBURG SHALL BE HELD IN EVEN-NUMBERED YEARS; TO ALLOW BURKE COUNTY TO USE LOCAL SALES AND USE TAX REVENUE DISTRIBUTED TO THE COUNTY IN A MANNER THAT IS CONSISTENT WITH GENERAL LAW; TO CHANGE THE JOHNSTON COUNTY BOARD OF EDUCATION ELECTIONS TO RESIDENCY DISTRICTS; TO EXTEND THE TERMS OF THE MEMBERS OF THE SOUTHEAST REGIONAL AIRPORT AUTHORITY FROM TWO TO FOUR YEARS AND AUTHORIZE THE SOUTHEAST REGIONAL AIRPORT AUTHORITY TO CONVEY REAL OR PERSONAL PROPERTY BELONGING TO THE AUTHORITY BY PRIVATE NEGOTIATION AND SALE OR LONG-TERM LEASE; TO AUTHORIZE TRANSYLVANIA COUNTY TO ESTABLISH A RURAL DEVELOPMENT AUTHORITY; AND TO CHANGE THE FILING PERIOD FOR MUNICIPAL OFFICES FOR THE TOWNS OF LAUREL PARK AND MILLS RIVER.*

Conference report to the 3rd edition makes the following changes.

Renumbers the sections and adds titles.

Section 2.

Clarifies that the changes to Section 4.2 of the Charter of the City of Hendersonville (changing the method of election of the Mayor and Council members from the primary method to the plurality method) apply to elections held after the act becomes law. Makes organizational changes.

Section 3.

Clarifies that the changes to Section 4.1 of the Charter of the Village of Flat Rock apply to elections held after the act becomes law. Makes organizational changes.

Section 7.

Makes technical change to the reference of the section being repealed by the act.

Section 8.

Amends new restrictions on the use of land from regulating or prohibiting the display of any flag of a branch of the US Armed Forces or any first responder flag (as defined) that is no larger than four by six feet, unless certain exceptions apply as set forth in new GS 47C-3-121.1 (applicable to the North Carolina Condominium Act) and GS 47F-3-121.1 (applicable to the North Carolina Planned Community Act) as follows. Changes the date that determines which provisions apply from October 1, 2023, to December 1, 2023. Makes conforming changes to the effective date.

Section 9.

Makes technical change to the effective date of the act's changes to the method of municipal elections set forth in Section 3.6 of the Charter of the Town of Hookerton.

Section 10.

Makes technical and clarifying changes to the act's modifications to the method of election of the Mayor and Commissioners set forth in Section 5 of the Charter of the Town of Walstonburg.

Adds the following content.

Section 11.

Repeals the following session laws: SL 1983-273, as amended (pertaining to 1% sales and use tax and others levied by Burke County); SL 1985-198 (continuing contracts for capital outlay for Burke County Administrative School Units and Burke County); and SL 1985-326 (pertaining to uses of revenue received by Burke County from one-half percent local sales and use taxes). Applies to tax proceeds distributed on or after the date the act becomes law.

Section 12.

Amends Section 2 of SL 1997-32 as follows. Changes the method of electing the seven members of the Johnston County Board of Education (Board) from at-large to being elected from seven single-member residency districts, with one member elected from each district by all eligible voters in the county. Specifies that that person must be a resident of the district and a qualified voter. Provides that members take office and qualify on the first Monday in December of the year of the election and that they serve until a successor has been elected and qualified. Removes outdated language.

Amends Section 4 of SL 1997-32 to specify that any person appointed to a vacancy on the Board must be a resident of the single-member residency district where the vacancy has occurred. Makes technical changes.

Applies to elections held after the act becomes law.

Provides for a method of establishing the single-member residency districts by resolution. Provides population requirement of within 5% of one-seventh of the total population of Johnston County per single-member residency district. Directs the Board to consider incumbency when drawing the single-member district boundaries to attempt to refrain from placing two incumbents in the same district. Prevents the Board from reducing the term of office of any elected member of the Board when establishing those boundaries. Directs that the residency districts should only be revised to correct population imbalances after each federal decennial census. Directs the Board to draw said boundaries by no later than November 17, 2023, to be used in the 2024 elections. Specifies that if the Board fails to do so by the statutory deadline, then the seven single-member districts used to

elect the Johnston County Board of Commissioners will be used to elect the Board until the return of the 2030 federal decennial census.

#### Section 13.

Repeals Section 2(c) of SL 2020-19 (setting forth initial members of the Southeast Regional Airport Authority [Authority]). Amends Section 2(b) of SL 2020-19 to extend Authority member terms from two years to four years. Makes conforming changes to account for deleted Section 2(c). Now specifies that if a person is appointed to fill a vacancy and there are at least two years (was, one year) remaining on the unexpired term, that that term counts towards the number of successive terms an Authority member may serve.

Specifies that the current terms of the Authority members expire on December 31, 2023, and allows for their reappointment so long as the appointment complies with the membership requirements set forth below. Specifies that for appointments beginning on January 1, 2025, the Authority members must be as follows: (1) three registered voters of the City of Laurinburg appointed by the Mayor of the City of Laurinburg, one of whom will serve for a term of one year, one of whom will serve for a term of two years, and one of whom will serve for a term of three years; (2) three registered voters of the Town of Maxton appointed by the Mayor of the Town of Maxton, one of whom will serve for a term of one year, one of whom will serve for a term of two years, and one of whom will serve for a term of three years; (3) one registered voter of Scotland County appointed by the chair of the Scotland County Board of Commissioners, who will serve for a term of four years; and (4) The Scotland County Economic Development Director, who will serve as an ex officio nonvoting member. Allows for these Authority members to be appointed to two successive four-year terms and specifies that the initial terms set forth above will not be counted when determining the number of successive terms served. Provides that thereafter, members must be appointed to the Authority as provided for in SL 2020-19, as amended by the act.

Amends the real estate powers of the Authority set forth in Section 4 of SL 2020-19 to now allow the Authority, notwithstanding the provisions of GS Chapter 160A, Article 12, to convey by private negotiation and sale, or to lease for a term of more than 10 years without it being treated as a sale, under the terms and conditions it deems proper, any or all of its right, title, and interest in Authority real or personal property (was, to sell, lease, or otherwise dispose of real or personal property belonging to authority so long as it followed the procedures provided in GS Chapter 160A, Article 12).

#### Section 14.

Expands the scope of Section 23 of SL 1965-988, as amended, (creating rural development authorities) to authorize Transylvania County to create a Rural Development Authority. Makes a technical change.

#### Section 15.

Amends Section 3.1 of the Charter of the Town of Laurel Park to specify that the candidate filing period for municipal elections will be the same as for county officers elected on a partisan basis. Applies to elections held on or after the date the act becomes law.

#### Section 16.

Amends Section 4.1 of the Charter of the Town of Mills River to specify that the candidate filing period for town elections will be the same as for county officers elected on a partisan basis. Applies to elections held on or after the date the act becomes law.

Makes conforming changes to the act's long title.

**Intro. by Moffitt.**

UNCODIFIED, Columbus, Greene, Guilford, Henderson, Johnston, Randolph, Scotland, Transylvania, Union, GS 47C, GS 47F, GS 160A

[View summary](#)

**Development, Land Use and Housing, Property and Housing, Education, Elementary and Secondary Education, Government, Elections, Local Government, Transportation**

Conference report to the 5th edition makes the following changes.

Part XXVI.

Inserts new part XXVI, pertaining to occupancy taxes for the municipalities of Burlington, Elon, Graham, and Mebane (collectively, “the municipalities”) as follows. Authorizes the municipalities to levy a room occupancy tax of up to 3% of the gross receipts derived from the rental of an accommodation within the municipality that is subject to State sales tax if the municipality also either adopts a resolution (1) creating a municipal Tourism Development Authority (TDA), if it is the first municipality to levy a tax under the act or (2) joining the TDA if one has already been created. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 160A-215 (uniform provisions for room occupancy taxes). Requires the TDA to use at least two-thirds of the occupancy tax proceeds to promote travel and tourism in the municipality represented by the account from which the funds are derived and the other one-third in each account for tourism related expenditures in the municipality represented by the account from which the funds are derived. Specifies that to the extent funds from one account are used outside the municipality represented by the account, the expenditure of funds must be consistent with the purposes of the act and must provide a direct benefit to the municipality expending the funds. Requires that at least one-third of the TDA members must be individuals affiliated with the businesses that collect the tax in the municipality, and at least one-half of the TDA membership must be individuals who are currently active in the promotion of travel and tourism in the municipality. Provides for further parameters of TDA members, meetings, and duties. Requires quarterly and end of fiscal year reports to the governing body of each of the municipalities that levy a tax under the act.

Part XXVII.

Makes organizational changes and conforming changes to GS 160A-215 to account for new section.

**Intro. by Hise.**

*Alamance, Ashe, Avery, Bertie, Brunswick, Carteret, Davidson, Davie, Graham, Iredell, Johnston, Mecklenburg, Mitchell, Stokes, Swain, Union, Warren, Wilkes, Yancey, GS 153A*

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**Government, Tax**

## **ACTIONS ON BILLS**

### **PUBLIC BILLS**

**H 898: HOUSE REDISTRICTING PLAN 2023/H898 ED 2. (NEW)**

*House: Reptd Fav Com Substitute*

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

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

**S 757: REALIGN CONGRESSIONAL DISTRICTS 2023/CST-4 (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 758: REALIGN NC SENATE DISTRICTS 2023/SB758,2 ED. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

### **LOCAL BILLS**

**S 68: VARIOUS LOCAL CHANGES. (NEW)**

*House: Conf Com Dismissed*  
*House: Conferees Reappointed*  
*Senate: Conferees Changed*  
*Senate: Conf Com Reported*  
*Senate: Held As Material*  
*Senate: Placed On Cal For 10/24/2023*  
*House: Conf Com Reported*  
*House: Ruled Material*  
*House: Cal Pursuant Rule 44(d)*  
*House: Placed On Cal For 10/24/2023*

**S 154: OMNIBUS OCCUPANCY TAX CHANGES. (NEW)**

*Senate: Conf Com Reported*  
*Senate: Held As Material*  
*Senate: Placed On Cal For 10/24/2023*  
*House: Conf Com Reported*  
*House: Ruled Material*  
*House: Cal Pursuant Rule 44(d)*  
*House: Placed On Cal For 10/24/2023*

**S 759: WATAUGA COUNTY BOARD OF COMMISSIONERS/LST-2.**

*Senate: Reptd Fav*

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