

The Daily Bulletin: 2024-05-01

PUBLIC/HOUSE BILLS

H 426 (2023-2024) **VARIOUS ENVIRONMENTAL AMENDMENTS. (NEW)** Filed Mar 21 2023, *AN ACT TO DIRECT THE COASTAL RESOURCES COMMISSION TO IMPLEMENT A RULE DESIGNATING JOCKEY'S RIDGE STATE PARK AS AN AREA OF ENVIRONMENTAL CONCERN UNTIL PERMANENT RULES ARE ADOPTED; TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO HOLD A PUBLIC HEARING AND CONSULT WITH THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS PRIOR TO GRANTING CERTAIN EASEMENTS ON STATE PROPERTY; AND TO CLARIFY THE APPLICABILITY OF STATUTORY BUILT-UPON AREA REQUIREMENTS FOR STATE AND LOCAL GOVERNMENT STORMWATER PROGRAMS AND SPECIFY THAT CERTAIN ARTIFICIAL TURF IS NOT BUILT-UPON AREA.*

Senate committee substitute deletes the content of the 1st edition and replaces it with the following.

Directs the Coastal Resources Commission (Commission) to implement the Jockey's Ridge Area of Environmental Concern, 15A NCAC 7H. 0508, as approved for the initiation of permanent rulemaking by the Commission on April 25, 2024, as if the proposed rule was effective, until the proposed rule becomes a permanent rule. Requires the Commission, by June 1, 2024, to approve a map identifying the boundaries of the Jockey's Ridge area of environmental concern for purposes of implementing these requirements. Requires the Commission to adopt proposed rule 15A NCAC 7H .0508 as a permanent rule as soon as practicable, but no later than November 1, 2024; specifies that this is not to be construed as directing the Commission to adopt the text of the proposed rule verbatim.

Enacts GS 146-29.3, requires the Department of Administration (DOA), before granting an easement upon State property for the disposal or dumping of spoil materials lawfully dug or dredged from navigable waters, to hold a public hearing where the proposed disposition is located and submit the proposed disposition for consultation with the Joint Legislative Commission on Governmental Operations. Applies to requests for proposed dispositions submitted for DOA approval on or after August 1, 2024.

Enacts GS 143-214.7D, excluding six categories of surfaces from the term "built-upon area", defined as provided under current law in GS 143-214.7(b2), or impervious or partially impervious surface in the context of implementing State or local government stormwater programs. Specifies that a slatted deck, the water area of a swimming pool, described stone surfaces and trails, landscaping material, and described artificial turf are exempt. Allows property owners and developers to opt out of any of the specified exemptions. Bars local governments from enforcing ordinances, plans, or stormwater programs that establish a definition of "built-upon area" or impervious surface that is inconsistent, notwithstanding specified statutory authorities. Authorizes the Commission to adopt implementing rules. Repeals GS 143-215.7(b2), which previously set forth the definition for "built-upon area", but did not include specified artificial turfs in the term's exemptions, and allowed property owners and developers to opt-out of the described exemptions. Directs local governments operating stormwater programs to update their programs consistent with new GS 143-214.7D.

Intro. by Gillespie, Clampitt, D. Hall, Pless.

[GS 143, GS 146](#)

[View summary](#)

Development, Land Use and Housing, Building and Construction, Property and Housing, Environment, Environment/Natural Resources, Government, Cultural Resources and Museums, State Agencies, Department of Administration, Local Government

H 593 (2023-2024) [RESTRICT TRUCK LENGTH THROUGH CULLASAJA GORGE](#). Filed Apr 10 2023, *AN ACT TO INCREASE THE PENALTY FOR EXCEEDING TANDEM TRAILER AND SEMITRAILER LENGTH LIMITATIONS ON A CERTAIN DESIGNATED ROAD IN MACON COUNTY*.

Senate committee substitute to the 1st edition changes the act's effective date to December 1, 2024 (was, 2023).

Intro. by Gillespie.

[UNCODIFIED, Macon](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

H 823 (2023-2024) [ELIMINATE SCHOOL CHOICE WAITLISTS. \(NEW\)](#) Filed Apr 18 2023, *AN ACT TO PROVIDE ADDITIONAL FUNDS FOR THE OPPORTUNITY SCHOLARSHIP PROGRAM AND FOR THE NORTH CAROLINA PERSONAL EDUCATION STUDENT ACCOUNTS FOR CHILDREN WITH DISABILITIES PROGRAM*.

Senate committee substitute replaces the 4th edition in its entirety with the following.

Part I

Establishes an Education Reserve (ER) in the General Fund. Directs the State Controller to reserve to the ER \$248 million in nonrecurring funds for the 2024-2025 fiscal year and transfer those funds in the ER to the UNC Board of Governors (BOG) for fiscal year 2024-2025. Directs the BOG to allocate that money to the State Education Assistance Authority to provide additional for opportunity scholarships awarded for students to attend any nonpublic secondary school on a full- or part-time basis. Specifies that the ER funds not be put in the Opportunity Scholarship Grant Fund Reserve (OSGFR), and instead must be made available for the 2024-2025 school year. Appropriates \$215,460,000 from the General Fund to OSGFR for additional recurring funds for the 2024-2025 fiscal year to award scholarships as directed in GS 115C-562.8.

Amends GS 115C-562.8(b), as amended, to increase annual appropriations from the General Fund to the OSGFR for fiscal years 2025-2026 through 2031-2032 so that appropriations gradually increase from \$625 million in FY 2025-2026 (currently appropriation for that year is \$415,540,000) to \$800 million in FY 2031-2032 (currently appropriation for that is \$505,540,000). Increases the amount appropriated to the OSGFR in FY 2032-2033 and beyond from \$520,540,000 to \$825 million.

Part II

Appropriates from the General Fund to the BOG \$24.7 million in recurring funds for the 2024-2025 fiscal year to be allocated to the State Education Assistance Authority for the NC Personal Education Student Accounts for Children with Disabilities Program (Accounts).

Amends GS 115C-600, as amended, to increase annual appropriations from the General Fund to the Accounts for fiscal years 2025-2026 through 2032-2033 (and beyond) so that appropriations gradually increase from \$75,643,166 in FY 2025-2026 (currently appropriation for that year is \$50,943,166) to \$82,643,166 in FY 2032-2033 and beyond (currently appropriation for that is \$57,943,166).

Makes conforming changes to the act's titles.

Effective July 1, 2024.

Intro. by Cotham, Willis, Loftis.

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, UNC System](#)

H 948 (2023-2024) [FUNDING VOCATIONAL REHABILITATION](#). Filed May 1 2024, *AN ACT TO APPROPRIATE FUNDS TO BE USED FOR GRANTS PROVIDING VOCATIONAL REHABILITATION TRAINING FOR INDIVIDUALS PARTICIPATING IN A LOCAL JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURT.*

Appropriates from the General Fund to the Department of Health and Human Services (DHHS), Division of Mental Health, Developmental Disabilities, and Substance Use Services (Division), the sum of \$7.5 million in nonrecurring funds for the 2024-2025 fiscal year to be used to provide grant funds to counties to allow local judicially managed accountability and recovery courts to obtain vocational rehabilitation training for individuals assigned to a local judicially managed accountability and recovery court. Directs that the grant funds will be distributed through a competitive grant program developed and managed by the Division. Limits grant funds to \$150,000 per county in a single fiscal year. Specifies that training obtained for individuals will be provided by a North Carolina community college and that grant funds received may also be used to provide transportation to these trainings. Requires DHHS to report to the specified NCGA committee within 60 days of distributing a grant on the county receiving the grant and amount awarded. Provides that funds do not revert until June 30, 2026. Effective July 1, 2024.

Intro. by Reives, Sasser, Lowery, Belk.

[APPROP](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services](#)

H 949 (2023-2024) [COASTAL PLAIN RESILIENCE AND ECO. PROS. ACT](#). Filed May 1 2024, *AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR VARIOUS PURPOSES.*

Appropriates the following sums from the General Fund to the Department of Environmental Quality (DEQ) for these listed purposes:

- \$1.71 million recurring funds for the 2024-2025 fiscal year to DEQ's Division of Coastal Management (DCM) for two full-time positions to staff the Resilient Coastal Communities Program and to provide grant funding for specified projects;
- \$470,000 recurring funds for the 2024-2025 fiscal year to DCM for five full-time positions in the Coastal Habitat Assessment Program;
- \$990,000 recurring funds for the 2024-2025 fiscal year for six full-time positions to continue implementation of the Flood Resiliency Blueprint;
- \$1.210 million recurring funds and \$500,000 in nonrecurring funds for the 2024-2025 fiscal year for eight full-time positions pertaining to customer service, grant administration, and technical assistance to businesses;
- \$600,000 recurring funds and \$10,000 in nonrecurring funds to the Division of Marine Fisheries for the 2024-2025 fiscal year for five full-time marine patrol officer positions;
- \$400,000 recurring funds and \$550,000 in nonrecurring funds to the Division of Air Quality for the 2024-2025 fiscal year for three full-time positions to staff the mobile air quality monitoring unit;
- \$3.15 million in nonrecurring funds for the 2024-2025 fiscal year to fund overtopping studies for all remaining high and intermediate hazard dams in the State;
- \$1.5 million in nonrecurring funds for the 2024-2025 fiscal year to be used for the 10% cost-share required for Superfund cleanups on the National Priority List sites and to pay the operating and maintenance costs associated with those Superfund cleanups;
- \$4,010,000 recurring funds and \$590,000 in nonrecurring funds for the 2024-2025 fiscal year to staff 24 full-time positions to assist DEQ in addressing the emerging compounds (including PFAS) issue in the State;
- \$2 billion in nonrecurring funds for the 2024-2025 fiscal year for the Water Infrastructure Fund to be allocated to the Drinking Water Reserve and the Wastewater Reserve to provide project construction grants for public water systems and wastewater systems. Specifies that the limits set forth in GS 159G-36(c) (concerning grant limits pertaining to water infrastructure) do not apply to grants awarded from these funds.

Effective July 1, 2024.

Intro. by Butler, Harrison, Autry, Cervania.

APPROP

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health

H 950 (2023-2024) **FOSTER CARE SERVICES/FUNDS**. Filed May 1 2024, *AN ACT TO APPROPRIATE FUNDS TO CROSSNORE COMMUNITIES FOR CHILDREN FOR FOSTER CARE SERVICES*.

Appropriates from the General Fund to the Office of State Budget and Management \$5 million for the 2024-2025 fiscal year for a directed grant to Crossnore Communities for Children, a nonprofit organization, to provide services designed to address the foster care crisis in the State. Specifies that services supported by the funds are open to children across the State and delivered from Winston-Salem, Crossnore, and Hendersonville through Crossnore Communities for Children. Effective July 1, 2024.

Intro. by Zenger, Willis, K. Hall, Johnson.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, Office of State Budget and Management, Health and Human Services, Social Services, Child Welfare

H 951 (2023-2024) **FUNDS FOR CW WILLIAMS COMMUNITY HEALTH CENTER**. Filed May 1 2024, *AN ACT TO PROVIDE FUNDING FOR THE COMPLETION OF THE C.W. WILLIAMS COMMUNITY HEALTH CENTER IN MECKLENBURG COUNTY*.

Identical to [S 782](#), filed 4/30/24.

Appropriates \$5,500,000 for 2024-25 from the General Fund to The C.W. Williams Community Health Center, Inc. to be used as title indicates. Effective July 1, 2024.

Intro. by Belk, Cunningham, Carney, T. Brown.

APPROP, Mecklenburg

[View summary](#)

Government, Budget/Appropriations, State Agencies, Office of State Budget and Management, Health and Human Services, Health

H 952 (2023-2024) **SUPPORTING LAW ENFORCEMENT**. Filed May 1 2024, *AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW ENFORCEMENT OFFICERS*.

Part I.

Requires the Department of Justice (DOJ) to alert law enforcement agencies to available grant funds and assist law enforcement agencies with drafting and submitting grant proposals and applications.

Appropriates \$200,000 in recurring funds for 2024-25 from the General Fund to DOJ to hire two full-time grant writers and mental health officers.

Effective July 1, 2024.

Part II.

Appropriates \$300,000 in recurring funds for 2024-25 from the General Fund to DOJ to award grants to law enforcement agencies for initiatives supporting community policing and funding for mental health officers. Effective July 1, 2024.

Part III.

Appropriates \$750,000 in recurring funds for 2024-25 from the General Fund to DOJ to be used for grants: (1) provided to law enforcement agencies to be awarded to law enforcement officers, including mental health officers, exhibiting exemplary service and (2) awarded to law enforcement agencies for meeting racial or gender diversity benchmarks, including the hiring of mental health officers. Caps grant awards at \$15,000. Effective July 1, 2024.

Part IV.

Amends GS 15A-401(d)(2), which sets out when a law-enforcement officer is justified in using deadly physical force, by making the following changes. Adds that the use of deadly force includes strangleholds, lateral vascular neck restraints, carotid restraints, or any other tactics that restrict oxygen or blood flow to the head or neck. Requires in all circumstances in which a law-enforcement officer uses force of any kind, that a law-enforcement officer use the minimum amount of force reasonably necessary to accomplish the law-enforcement action and attempt to use de-escalation tactics. Effective October 1, 2024.

Requires the Attorney General, in consultation with the North Carolina Sheriffs' Association and the North Carolina Association of Chiefs of Police, to develop uniform use-of-force policies that may be adopted by all law enforcement agencies in the state. Requires the policies to be submitted to the specified NCGA committee by December 1, 2024, published on DOJ's website, and distributed digitally to all law enforcement agencies in the state.

Part V.

Amends GS 17C-6 to also give the North Carolina Criminal Justice Education and Training Standards Commission and GS 17E-4 to give the North Carolina Sheriffs' Education and Training Standards Commission the power to establish minimum: (1) age requirement of 21 for qualification for entry level employment; (2) mental health screening protocols that must be met to qualify for entry level employment and retention, to include a psychological screening within one year prior to certification; and (3) annual mental health screening protocols. Effective January 1, 2025.

Amends GS 17C-13 and GS 17E-12 to give those same Commissions access to a person's misdemeanor conviction records and allow the Commission to deny, suspend, or revoke a person's certification based solely on that person's conviction of four or more misdemeanors. Effective January 1, 2025.

Appropriates \$1 million in recurring funds for 2024-25 from the General Fund to DOJ for grants to law enforcement agencies to pay for the mental health screenings required by this part, and for mental health officers. Effective July 1, 2024.

Part VI.

Appropriates \$2 million in recurring funds for 2024-25 from the General Fund to DOJ for grants to law enforcement agencies to temporarily provide funding for detective or other investigative law enforcement positions, including mental health officer positions, in order to aid in the investigation of person crimes that would constitute a charge of a Class D felony or higher. Effective July 1, 2024.

Part VII.

Includes a severability clause.

Intro. by Prather, Alston, Everitt, Staton-Williams.

APPROP, GS 15A, GS 17C, GS 17E

[View summary](#)

**Government, Budget/Appropriations, Public Safety and
Emergency Management**

Part I.

Requires the Department of Justice (DOJ) to alert law enforcement agencies to available grant funds and assist law enforcement agencies with drafting and submitting grant proposals and applications. Appropriates \$1 million in recurring funds for 2024-25 from the General Fund to DOJ to hire grant writers to assist law enforcement agencies with the above described grant proposals and applications. Effective July 1, 2024.

Part II.

Appropriates \$1 million in recurring funds for 2024-25 from the General Fund to DOJ to award grants to law enforcement agencies for initiatives supporting community policing. Effective July 1, 2024.

Part III.

Appropriates \$1.5 million in recurring funds for 2024-25 from the General Fund to DOJ to be used for grants: (1) provided to law enforcement agencies to be awarded to law enforcement officers exhibiting exemplary service and (2) awarded to law enforcement agencies for meeting racial or gender diversity benchmarks, as established by DOJ. Caps grant awards at \$10,000. Effective July 1, 2024.

Part IV.

Amends GS 15A-401(d)(2), which sets out when a law-enforcement officer is justified in using deadly physical force, by making the following changes. Adds that the use of deadly force includes strangleholds, lateral vascular neck restraints, carotid restraints, or any other tactics that restrict oxygen or blood flow to the head or neck. Requires in all circumstances in which a law-enforcement officer uses force of any kind, that a law-enforcement officer use the minimum amount of force reasonably necessary to accomplish the law-enforcement action and attempt to use de-escalation tactics. Effective October 1, 2024.

Requires the Attorney General, in consultation with the North Carolina Sheriffs' Association and the North Carolina Association of Chiefs of Police, to develop uniform use-of-force policies that may be adopted by all law enforcement agencies in the state. Requires the policies to be submitted to the specified NCGA committee by December 1, 2024, published on DOJ's website, and distributed digitally to all law enforcement agencies in the state.

Part V.

Amends GS 17C-6 to also give the North Carolina Criminal Justice Education and Training Standards Commission and GS 17E-4 to give the North Carolina Sheriffs' Education and Training Standards Commission the power to establish a minimum age requirement of 21 for qualification for entry level employment. Effective January 1, 2025.

Amends GS 17C-13 and GS 17E-12 to give those same Commissions access to a person's misdemeanor conviction records and allow the Commission to deny, suspend, or revoke a person's certification based solely on that person's conviction of four or more misdemeanors, regardless of whether they were expunged. Effective January 1, 2025, and applies to officers hired on or after that date and officers employed on or after that date who are convicted of a felony or a misdemeanor on or after that date.

Part VI.

Appropriates \$2 million in recurring funds for 2024-25 from the General Fund to DOJ for grants to law enforcement agencies to temporarily provide partial or total funding for detective or other investigative law enforcement positions, in order to aid in the investigation of person crimes that would constitute a charge of a Class D felony or higher. Effective July 1, 2024.

Part VII.

Includes a severability clause.

Intro. by Staton-Williams, Alston, Everitt.

[APPROP, GS 15A, GS 17C, GS 17E](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Government, Budget/Appropriations, State Agencies, Department of Justice](#)

H 954 (2023-2024) [COMMUNITY HEALTH CENTER GRANTS FOR LARCS](#). Filed May 1 2024, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO AWARD ADDITIONAL GRANTS TO LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS FOR THE PURCHASE AND DISTRIBUTION OF LONG-ACTING REVERSIBLE CONTRACEPTIVES*.

Amends Section 4.1 of SL 2023-14 as follows. Appropriates \$3.5 million in recurring funds for 2023-24 and \$8.5 million in recurring funds for 2024-25 (was, \$3.5 million in each year of the 2023-25 fiscal biennium) from the General Fund to the Department of Health and Human Services, Division of Public Health, to be used to award grants to local health departments and nonprofit community health centers for the purchase and provision of long-acting reversible contraceptives for underserved, uninsured, or medically indigent patients. Effective retroactively to July 1, 2023.

Intro. by Staton-Williams, Everitt.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Public Health](#)

H 955 (2023-2024) [FUNDS FOR DISCOVERY PLACE REGIONAL MUSEUM](#). Filed May 1 2024, *AN ACT TO APPROPRIATE FUNDS TO DISCOVERY PLACE TO ESTABLISH A REGIONAL NATURE MUSEUM IN MECKLENBURG COUNTY*.

Appropriates from the General Fund to the Office of State Budget and Management \$5 million in nonrecurring funds for the 2024-2025 fiscal year to provide a directed grant to Discovery Place, Inc., a nonprofit organization, to assist in the completion of the new Nature Center and 13-acre campus of Discovery Place Nature, a regional nature museum and experiential learning center. Effective July 1, 2024.

Intro. by Belk, Carney, Logan, Lofton.

[APPROP, Mecklenburg](#)

[View summary](#)

[Government, Budget/Appropriations, Cultural Resources and Museums](#)

H 957 (2023-2024) [HOME WARRANTY REGULATORY REFORM](#). Filed May 1 2024, *AN ACT TO PLACE CONSUMER PROTECTIONS AROUND HOME SERVICE AGREEMENTS*.

Creates protections related various agreements, including newly defined term *service agreements*, that apply to all of Article 43 (pertaining to service agreements) in GS Chapter 66 [hereinafter Article 43], as follows.

Recodifies GS 66-372(b) (currently titled as the definitions provisions to the miscellaneous requirements for motor vehicle and home appliance service agreement companies) as to new GS 66-369.1 (definitions), which now applies to all of Article 43. Defines *consumer* and *covered items*. Changes the definition of *service agreements* to an agreement between a consumer and a service agreement company in which a consumer agrees to pay a set fee or premium, and may agree to pay a deductible, in exchange for a service provider promising to repair, replace, or maintain a set list of covered items. This term includes agreements where the service provider facilitates but does not actually perform the repair, replacement, or maintenance of a covered item and agreements where a service provider reimburses the consumer for obtaining their own repair, replacement, or maintenance. (Currently, just specifies that it includes motor vehicle and home appliance agreements). Expands entities included in a *service agreement company* to include a person, other than an insurer licensed to write liability insurance under Article 7 or 16 of GS Chapter 58, that issues service agreements. (Currently, just specifies that it includes motor vehicle and home appliance agreements). Makes organizational changes.

Recodifies subsections (a), (c), (d), the remainder of (e), (f), (h), (i), (j), and (l) of GS 66-372 as subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i), respectively, of GS 66-369.2 (now entitled Miscellaneous requirements for service agreements) and makes the following changes to new GS 66-369.2. Specifies that the statute's requirements apply to all service agreements in Article 43. Makes organizational, technical, and conforming changes. Requires service agreements to contain a list of covered items.

Recodifies GS 66-373 as GS 66-369.3 (insurance policy requirements) to require each person or company subject to Article 43 (currently, subject to GS 66-373) to now maintain insurance with an insurer authorized to write liability insurance under Articles 7.16.21 or 22 of GS Chapter 58 (currently, just need to have coverage under an authorized insurer). Amends the scope of GS 66-369.3 so that it applies to GS 58-1-15, GS 58-1-20, and Article 43 (currently applies to GS 58-1-15, GS 58-1-20, GS 66-370, GS 66-371, and GS 66-374).

Amends GS 66-371 (pertaining to home service agreements [currently, home appliance service agreement companies]) as follows. Expands Article 43's scope to all home service agreements in the State. (Currently, section applies to all home appliance service agreement companies soliciting business in the State.) Defines *home service agreements* as a service agreement for a set list of appliances and systems in a residence, regardless of whether the agreement is titled as a contract, home warranty, extended home warranty, home appliance warranty, or other.

In addition to the general requirements pertaining to a service agreement set forth above, requires home service agreements to contain four required elements, including a list of covered items, detailed descriptions of covered losses or damages and exclusions, and a statement of the purchaser's rights. Requires home service agreement companies to provide an electronic or paper copy of the agreement to the consumer at time of signing, maintain a list of company-approved vendors available to perform services and allow a consumer to use one of those vendors, and ensure that the repair, replacement, or maintenance requested under the agreement is completed or scheduled for completion within five business days of a consumer's claim for any covered item that is necessary for heating, air-conditioning, or the functioning of a bathroom if there is only one bathroom in the residence. Makes conforming changes. Deletes defined terms *home appliance* and *home appliance service agreement*.

Recodifies GS 66-372(e)(2) as GS 66-370(a2), and further amends GS 66-370 as follows. Defines *motor vehicle*. Expands Article 43's scope to all motor vehicle service agreements in the State. (Currently, section applies to all motor vehicle service agreement companies soliciting business in the State.) Defines *motor vehicle service agreement* as including (1) any contract or agreement indemnifying a consumer against loss caused by a motor vehicle failure (defined) that is listed in the agreement or providing for the repair of a motor vehicle failure that is listed in the agreement; and (2) a contract or agreement to reform or to indemnify a consumer for certain repairs, including dents, key fobs, and other services that may be approved by the Commissioner of Insurance if not inconsistent with Article 43. Specifies that the general requirement set forth in GS 66-369.2 above, apply to motor vehicle service agreements. Makes technical and organizational changes. Deletes defined terms set forth in GS 66-370(b).

Effective October 1, 2024, and applies to service agreements entered into on or after that date.

Appropriates \$50,000 in recurring funds from the General Fund to the Department of Justice to be allotted to the Office of the Attorney General to enforce Article 43, as amended by the act. Effective July 1, 2024.

Intro. by Logan, Belk, T. Brown, Budd.

[APPROP, GS 66](#)

[View summary](#)

[Business and Commerce, Consumer Protection, Courts/Judiciary, Motor Vehicle, Government, Budget/Appropriations, State Agencies, Department of Insurance](#)

Includes legislative findings regarding at-will employment.

Enacts GS 95-31.1, explicitly abolishing the doctrine of at-will employment in the State and prohibiting terminating an employee without just cause. Includes legislative findings and establishes as public policy of the State that at-will employment is inconsistent with the implied covenant of good faith and fair dealing in employment contracts.

Enacts GS 95-25.6A, requiring employers to provide 60-minute paid meal periods for employees scheduled to work more than six continuous hours in a 24-hour period, and at least one paid 15-minute break for all scheduled employees.

Effective January 1, 2025, amends GS 95-25.3 to prohibit counting tips earned by employees as wages. Deletes provisions which allow tips to be counted as wages, subject to statutory limits and recordkeeping requirements.

Enacts GS 95-25.6B, prohibiting an employer from conditioning employment upon an employee refraining from disclosing their wages; requiring an employee sign a waiver prohibiting the employee from disclosing their wages; or taking an employment action or discriminating against an employee for inquiring about, disclosing, comparing, or discussing their or another employee's wages. Includes a legislative finding that employees have a right to disclose and discuss employee wages.

Amends GS 95-241 to prohibit discriminating or taking retaliatory action against an employee who exercises or threatens to exercise their rights under new GS 95-25.6B so long as the employee acts in good faith.

Part II.

Repeals GS 95-98, which declares contracts between units of government and labor unions, trade unions, or labor organizations concerning public employees against public policy, illegal, and void with no effect.

Adds to the policies and rules the State Human Resources Commission (Commission) must establish pursuant to GS 126-4, now requiring the Commission to delegate authority to an Ombud's Office to provide independent review of State employee workplace complaints and assistance to State employees in resolving workplace issues. Requires that the policy direct the Ombud's Office to establish education programs for State employees about their rights and to train supervisors and employees in appropriate dispute resolution techniques.

Enacts Article 17, GS Chapter 126, establishing State policy regarding the mistreatment of State government contractors. Establishes a duty of State government supervisors to take all reasonable steps to prevent the mistreatment of contract employees. Prohibits a State employee from making or causing a private third-party employer (private employer) to bring an adverse action against a contract employee in retaliation for making a complaint or providing information in good faith to State or federal labor authorities regarding potential labor law violations by the private employer or a State entity; testifying in any investigation relating to a State government workplace or State-controlled project; exercising any legally protected employee rights; or complaining about workplace bullying in a State government workplace or in connection with a State-controlled project. Enacts substantively similar prohibitions directed at private employers regarding contract employees. Authorizes disciplinary action up to termination for state employees who violate the prohibition. Directs the Department of Labor (DOL) to investigate alleged violations and authorizes the assessment of penalties of \$1,000 to \$20,000 per violation. Makes private employers found in violation ineligible to contract with any state entity for five years. Establishes a cause of action for contract employees to bring against a private employer for violations of the statute, subject to a two-year statute of limitation. Provides for specified relief, including attorneys' fees, for successful actions by contract employees. Directs the DOL and Commission to jointly develop, publish, and distribute educational and training materials about contract employee rights as described. Makes the Article applicable to all State employees, even those exempt from the State Human Resources Act, GS Chapter 126. Exempts federal contracts from the scope of the Article. Charges private and State employers with giving employees notice of their protections and obligations under the Article. Clarifies that the Article is supplemental to the provisions of Articles 14 of GS Chapter 126 (providing protections for reporting improper government activities) and 21 of GS Chapter 95 (governing retaliatory employment discrimination). Directs the DOL and the Commission to collaborate and independently adopt appropriate implementing rules. Includes four defined terms applicable to the Article.

Appropriates \$180,000 in recurring funds from the General Fund to the Commission for 2024-25 for two new personnel positions to support the establishment of the Ombud's Office created by the act. Appropriates \$100,000 in nonrecurring funds from the General Fund to the Commission for 2024-25 to fund enforcement, training, and educational efforts pursuant to new GS 126-101 (in new Article 17) and to combat workplace bullying in State government. Appropriates \$77,000 in recurring funds from the General Fund to the DOL for 2024-25 for one new personnel position to conduct investigations under new GS 126-101 (in new Article 17). Effective July 1, 2024.

Part III.

Effective retroactively to December 31, 2020, repeals Section 35.21(c) and (d), SL 2017-57, which amended GS 135-48.1 and GS 135-48.40 to limit State Health Plan eligibility for retired teachers, State employees, and legislators who were members of any retirement system supported by State contributions to those who earned contributory retirement service prior to January 1, 2021, who had not withdrawn service, and remain enrolled.

Part IV.

Repeals Sections 5.9(a), 5.9(b), and 5.9(c) of SL 2023-134, which amended GS 95-25.1, GS 153A-449, and GS 160A-20.1 to preempt local governments from regulating private employee compensation.

Enacts identical provisions to GS 153A-463 and GS 160A-499.8, authorizing counties and cities to set a local minimum wage by ordinance.

Enacts GS 160A-492.1 to authorize local governing bodies to undertake and expend funds for worker safety activities and programs applicable to the field of employment that are equivalent to or greater than State or federal requirements. Further authorizes local governing bodies to appoint worker safety committees, boards, and citizens' committees to carry out the worker safety programs and activities, and includes companion authorities related to establishing committee powers and personnel. Allows for joint city-county programs or activities, and permits expending local tax revenues on such programs and activities. Makes conforming changes to GS 153A-445.

Appropriates \$300,000 in recurring funds from the General Fund to the DOL for 2024-25 for new personnel positions to conduct safety inspections related to local worker safety programs established pursuant to the act. Effective July 1, 2024.

Intro. by Logan, Autry, Harrison, Roberson.

[APPROP, GS 95, GS 126, GS 153A, GS 160A](#)

[View summary](#)

[Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Labor, State Government, Local Government](#)

H 959 (2023-2024) [VARIOUS CHANGES TO HOMEOWNERS' ASSOC. LAWS](#). Filed May 1 2024, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA CONDOMINIUM ACT AND THE NORTH CAROLINA PLANNED COMMUNITY ACT, TO MANDATE PRELITIGATION MEDIATION OF DISPUTES BETWEEN OWNERS' ASSOCIATIONS AND THEIR MEMBERS, AND TO REQUIRE THE DEPARTMENT OF JUSTICE TO COLLECT AND REPORT ON COMPLAINTS SUBMITTED TO IT INVOLVING SUCH DISPUTES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS' ASSOCIATIONS.*

Part I.

Amends GS 47C-3-118 (pertaining to the North Carolina Condominium Act) and GS 47F-3-118 (pertaining to the North Carolina Planned Community Act) requiring each association to make requested records reasonably available for examination within 30 days of receiving the lot/unit owner's written request, unless the association's bylaws provide for a shorter time.

Exempts financial records created longer than three years prior to the date of the request from disclosure requirements, unless bylaws provide otherwise.

Part II.

Amends GS 47C-3-103 (condominium executive board members and officers) and GS 47F-3-103 (homeowners' associations' executive board members and officers) to require that any ratification of any budget that would increase common expense liability by more than 10% be approved by the majority of all unit/lot owners, unless a larger vote is authorized in the association's declaration or the declaration expressly authorizes the amount of the increase. Bans action from being taken by an executive board after ratification of its annual budget that would increase the budgeted common expense liability for that fiscal year by more than 5% without the approval of a majority of all lot/unit owners, unless a larger vote is specified in the declaration.

Part III.

Expands the pre-conditions for foreclosure on liens imposed on a unit/lot under GS 47C-3-116 (liens due to condominium association) and GS 47F-3-116 (liens due to homeowners' association) by an association to include requirements that the lien be equal to or greater than six months of assessment or equal to or greater than \$2,500, whichever is less, and that the association offered the owner a reasonable opportunity to cure the default under an installment payment plan and the owner either did not accept the offer or defaulted on payments required under the payment plan schedule.

Part IV.

Amends GS 7A-38.3F (pertaining to prelitigation mediation of condominium and homeowners' association disputes) as follows. Requires mandatory mediation (currently, encourages mediation) prior to any party filing suit under the North Carolina Condominium Act and the North Carolina Planned Community Act or an association's declaration, bylaws, or rules or regulations. Provides for dismissal without prejudice if suit is filed before mediation has been completed unless certain exceptions apply. Exempts disputes solely related to a member's failure to timely pay an association assessment, or any fines or fees associated with the levying or collection of an association assessment from requirements of statute. Allows parties to waive required mediation by informing the mediator of the waiver in writing. Permits the mediator to charge a reasonable fee for preparation of a certification when the parties either agree to waive mediation or when one or more parties fail to participate in mediation without good cause. Makes conforming changes to the required mediation certification and expands required information to include a statement on the results of the mediation. Permits the Supreme Court to adopt additional rules and standards to implement the statute including an exemption from the rules of procedure for superior court mediations required under GS 7A-38.1 (pertaining to settlement conferences) and sanctions under that statute. Permits voluntary mediation under either act at any time.

Makes conforming, technical, and organizational changes. Makes language gender neutral. Applies to actions filed on or after October 1, 2024.

Part V.

Enacts new GS 114-8.8 requiring the Department of Justice (DOJ) to receive and record certain data from all complaints concerning disputes between associations and unit/lot owners. Requires DOJ to publish an electronic complaint form on the department's website and to forward a copy of any complaint received to the party that is the subject of the complaint and to allow that party to respond. Sets out items DOJ must collect from the complainants. Prevents DOJ from issuing regulations or guidelines pertaining to associations or serving as an arbiter in disputes between an association and its members.

Requires DOJ, by July 1 of each year, to submit an annual report containing eight required elements, including the number of complaints received, whether the complainant is a unit/lot owner or association, county of origin, those that involve association management companies, and the nature of the dispute to the specified NCGA committees and to publish that report on its website. Requires the report to be categorized, filterable, and searchable. Sets forth redaction requirements.

Effective July 1, 2024.

Intro. by Iler, Tyson, Liu.

GS 7A, GS 47C, GS 47F, GS 114

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Government, State Agencies, Department of Justice**

H 960 (2023-2024) **SOUND BASIC EDUCATION FOR EVERY CHILD**. Filed May 1 2024, *AN ACT TO PROVIDE FOR A SOUND BASIC EDUCATION FOR EVERY CHILD IN NORTH CAROLINA*.

To be summarized.

Intro. by von Haefen, Gill, Ball, Prather.

[View summary](#)

H 961 (2023-2024) [STUDY STATE EMPLOYEE BEREAVEMENT LEAVE/FUNDS](#). Filed May 1 2024, *AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY BEREAVEMENT LEAVE FOR STATE EMPLOYEES*.

Requires the Legislative Research Commission (LRC) to study the need for bereavement leave for State employees, including consideration of relevant data from the Office of State Human Resources, and report findings and legislative proposals to the 2025 General Assembly.

Appropriates \$25,000 from the General Fund to the NCGA for 2024-25 to fund the study.

Effective July 1, 2024.

Intro. by Alston, Hawkins.

APPROP, STUDY

[View summary](#)

Government, Budget/Appropriations, General Assembly, State Government, State Personnel

H 962 (2023-2024) [GOVERNOR'S BUDGET](#). Filed May 1 2024, *AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE*.

Due to the fact that Governor Cooper's proposed budget was released on April 24, 2024, and has been available to the public in advance of the filing of H 962, we will not be including a summary of the bill version of his budget. For the content of the bill, please follow the link to the bill on the General Assembly's site above. Further information on the Governor's proposed budget can also be found on the Office of State Budget and Management's website at: <https://www.osbm.nc.gov/governors-budget-recfy2024-25/download?attachment>.

Intro. by Lambeth, Arp, Saine.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Government, Executive

H 963 (2023-2024) [AGGIE ACADEMY LEARNING LAB/FUNDS](#). Filed May 1 2024, *AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO SUPPORT AGGIE ACADEMY, A UNIVERSITY OF NORTH CAROLINA LABORATORY SCHOOL AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY*.

Appropriates \$1 million in recurring funds for 2024-25 from the General Fund to the Board of Governors of The University of North Carolina to be allocated to North Carolina Agricultural and Technical State University to be used as title indicates.

Effective July 1, 2024.

Intro. by Quick.

APPROP

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, UNC System

H 964 (2023-2024) [FUNDS FOR CHARLOTTE MECKLENBURG LIBRARY](#). Filed May 1 2024, *AN ACT TO APPROPRIATE FUNDS TO THE CHARLOTTE MECKLENBURG LIBRARY FOUNDATION FOR THE CONSTRUCTION OF THE NEW MAIN LIBRARY*.

Appropriates \$5 million for 2024-25 from the General Fund to the Office of State Budget and Management to provide a directed grant to the Charlotte Mecklenburg Library Foundation to be used as title indicates. Effective July 1, 2024.

Intro. by Carney, Saine.

[APPROP, Mecklenburg](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, Office of State Budget and Management

H 965 (2023-2024) [UNC INTRASTATE ATHLETIC COMPETITION](#). Filed May 1 2024, *AN ACT TO REQUIRE ELIGIBLE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO REGULARLY COMPETE AGAINST ONE ANOTHER IN FOOTBALL AND BASKETBALL.*

Includes whereas clauses.

Enacts GS 116-40.14, stating the legislative purpose of the act is to ensure eligible UNC constituent institutions regularly compete against one another in eligible sports, defined to include football and men's and women's basketball. Sets forth defined terms. Defines "high-enrollment institution" as a constituent institution which fields a Division I football team with a full-time equivalent enrollment in the fall semester of 2023-24 of 30,000 students or more. Establishes requirements for a high-enrollment institution to (1) play at least one home or away game each academic year against another high-enrollment institution and an eligible constituent institution that is not a high-enrollment institution, and (2) play at least one home and one away game against each eligible constituent institution that is not a high-enrollment institution every six academic years, alternating home and away games. Applies beginning with the 2025-26 academic year.

Appropriates \$1 million in nonrecurring funds from the General Fund to the UNC Board of Governors for 2024-25 to inform eligible constituent institutions and the public about the competitions requires by new GS 116-40.14. Effective July 1, 2024.

Intro. by Willis, Pickett, Saine, Johnson.

[APPROP, GS 116](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, UNC System

H 966 (2023-2024) [EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS](#). Filed May 1 2024, *AN ACT TO CREATE AN ALTERNATIVE REMEDY FOR THE EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS FROM RESIDENTIAL REAL PROPERTY BY THE SHERIFF; TO INCREASE THE PUNISHMENT FOR WILLFUL AND WANTON DAMAGE TO THE RESIDENTIAL REAL PROPERTY OF ANOTHER; TO PROHIBIT THE FRAUDULENT RENTAL, LEASE, OR ADVERTISEMENT FOR SALE OR LEASE OF RESIDENTIAL REAL PROPERTY; AND TO REQUIRE THAT ALL LEASE AGREEMENTS BE IN WRITING.*

Enacts new Article 8, concerning the expedited removal of unauthorized persons from residential property to GS Chapter 42. Adds new GS 42-79, allowing a property owner or authorized agent to request from the sheriff where the residential property is located the removal of a person or persons unlawfully occupying that property if all of the following are met: (1) the requesting party is the property owner or the authorized agent of the property owner; (2) the property that is being occupied includes a residential dwelling; (3) an unauthorized person or persons have unlawfully entered and remain on or continue to reside in the residential property; (4) the property owner or the authorized agent of the property owner has directed the unauthorized person or persons to leave the residential property; (5) the unauthorized person or persons are not residents as defined in GS 42-59; (6) the unauthorized person or persons are not tenants as defined in GS 42-59; (7) there is no pending litigation between the property owner and the unauthorized person or persons related to the residential property; and (8) no other valid rental agreement has been entered into or formed by the property owner and the unauthorized person or persons. Defines *unauthorized person* as a person occupying residential property who has no legal claim to the property and is not entitled to occupy it under a valid rental agreement and who is not otherwise authorized to occupy the property. It does not mean a tenant who holds over after the lease term has expired under GS 42-26.

Provides for an effective removal complaint form under GS 42-80. Requires the Administrative Office of the Courts (AOC) in consultation with the NC Sheriffs' Association to develop the complaint form. Effective July 1, 2024, appropriates from the General Fund to the AOC \$10,000 for 2024-2025 fiscal year to develop the complaint form.

Specifies a process for verification of a complaint and removal of unauthorized persons by the sheriff in new GS 42-81, as follows. Requires the sheriff to verify that the complainant is the property owner of record or authorized agent and appears entitled to relief. Gives the sheriff 24 hours to remove the unauthorized person or persons from residential property. Gives the sheriff the power to arrest persons for trespass, outstanding warrants, or other legal cause. Indemnifies sheriff and property owner or their authorized agent from liability to any unauthorized person or other party for loss, destruction, or damage of personal property.

Provides for a remedy for wrongful removal including possession of the property and recovery of actual costs and damages incurred, statutory damages equal to triple the fair market rent of the residence, court costs, and reasonable attorney fees under new GS 42-82. Specifies that new Article 8 doesn't limit the rights of a property owner or limit the authority of a law enforcement officer to arrest an unauthorized person or persons for trespassing, vandalism, theft, or other crimes.

Effective December 1, 2024, and applying to offenses committed on or after that date, amends GS 14-127 (willful and wanton injury to real property), to make it a Class H felony in those instances where a person willfully and wantonly damages, injures, or destroys the residential real property of another, and that damage, injury, or destruction results in damages valued at \$1,000 or more, unless the conduct is covered under another provision of law providing greater protection.

Adds new GS 14-117.8 (concerning fraudulent investments and transactions involving residential real property) making it a Class C felony to rent or lease residential real property to another person knowing that the renter or lessor has no lawful ownership in the property or leasehold interest in the property, unless the conduct is covered under another provision of law providing greater punishment. Makes it a Class H felony to list or advertise residential real property for rent, lease, or sale knowing that the purported renter, lessor, or seller has no legal title or authority to rent, lease, or sell the property, unless the conduct is covered under another provision of law providing greater punishment. Effective December 1, 2024, and applies to offenses committed on or after that date.

Amends GS 22-2 (contracts for sale of land and leases) so that its requirements that the agreement is in writing and signed applies to all land contracts and leases. (Currently, applies to instruments exceeding in duration three years from the making thereof). Effective when it becomes law and applies to rental agreements and leases entered into on or after that date.

Intro. by Tyson, Howard, K. Hall, Biggs.

APPROP, GS 14, GS 22, GS 42

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing

H 967 (2023-2024) **PROHIBIT PROP BETS ON COLLEGE/AMATEUR SPORTS**. Filed May 1 2024, *AN ACT TO PROHIBIT PROPOSITION WAGERS ON COLLEGE AND AMATEUR SPORTS AND TO PROHIBIT IN-PERSON SPORTS WAGERS AT A SPORTS FACILITY HOSTING A COLLEGE SPORTS EVENT BEFORE AND DURING THE EVENT*.

Identical to [S 788](#), filed 5/1/24.

Adds proposition wager (a wager on an individual action, statistic, occurrence, or nonoccurrence to be determined during a sporting event and includes any such action, statistic, occurrence, or nonoccurrence that does not directly affect the final outcome of the sporting event to which it relates) to the definitions provision pertaining to sports wagering (GS 18C-901).

Adds proposition wagering on amateur sports or college sports to the types acts that are not authorized by the sports wagering article of GS Chapter 18C. Expands the provisions pertaining to places of public accommodation for sports wagering under GS 18C-926 by prohibiting sports facilities from being open to registered players for placing sports wagers during the eight hours before or during any college sports events at the sports facility or adjacent to the sports facility. Effective July 1, 2024.

Intro. by Morey, Harrison, Autry, von Haefen.

GS 18C

[View summary](#)

Lottery and Gaming

H 968 (2023-2024) [INCREASE PUNISHMENT FOR FAILURE TO YIELD](#). Filed May 1 2024, *AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR FOR A PERSON WHO COMMITS THE OFFENSE OF FAILURE TO YIELD AND THE OFFENSE RESULTS IN SERIOUS BODILY INJURY AND TO APPROPRIATE NONRECURRING FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS TO COVER COSTS INCURRED FROM ENFORCING THE LAW REVISED BY THIS ACT.*

Makes it a Class 2 misdemeanor, which must include a \$500 fine and upon conviction, revocation of the violator's driver's license or commercial driver's license for 90 days, when a person fails to yield and the offense results in serious bodily injury but not death (currently, just provides for a \$500 fine and suspension of license for 90 days) under GS 20-160.1. Effective December 1, 2024, and applies to offenses committed on or after that date.

Effective July 1, 2024, appropriates from the General Fund to the Administrative Office of the Courts (AOC) \$100,000 in nonrecurring funds for the 2024-2025 fiscal year to cover any nonrecurring costs incurred by AOC from enforcing the act.

Intro. by Alston, Buansi, Miller, Price.

[APPROP, GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Court System, Administrative Office of the Courts, Government, Budget/Appropriations](#)

H 969 (2023-2024) [STATEWIDE COMMUTER RAIL STUDY](#). Filed May 1 2024, *AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON COMMUTER RAIL.*

Creates the 18-member Joint Legislative Study Committee on Statewide Commuter Rail, consisting of nine members of the House of Representatives appointed by the Speaker of the House of Representatives and nine members of the Senate appointed by the President Pro Tempore of the Senate. Charges the Committee with developing a statewide strategic vision for commuter rail that integrates freight, passenger, and commuter rail uses to encourage increases in passenger rail traffic. Requires that the study provide opportunity for public engagement and include the development of a commuter rail plan to integrate all uses of fixed rail within the state that implements best practices, including integration with four specified plans and sets of recommendations. Sets out 12 topics that must be evaluated as a part of the study, including the use of emerging technologies to enhance rail capacity, safety, and speed; opportunities and challenges for public and private economic development partners; and the use of tax incentives for non-State-owned railroads to create incentives for cooperation with the construction of new rail passenger services and related development. Sets out the Committee's powers. Sets out requirements for staffing the committee. Provides for filling vacancies, establishing a quorum, and paying members subsistence and travel expenses. Requires an interim report to the 2025 NCGA, and a final report to the 2025 NCGA when it reconvenes in 2026. Terminates the Committee upon the earlier of the filing of the final report or the convening of the 2025 NCGA when it reconvenes in 2026. Specifies that the Committee's work is not intended to preempt or delay any ongoing studies or projects involving commuter rail undertaken by units of local government.

Appropriates \$20,000 for 2024-25 from the General Fund to the Legislative Services Commission for the expenses of the study committee.

Intro. by Hawkins.

[APPROP, STUDY](#)

[View summary](#)

[Government, Budget/Appropriations, General Assembly, Transportation](#)

H 970 (2023-2024) [STATE RECOGNITION FOR THE TUSCARORA/FUNDS](#). Filed May 1 2024, *AN ACT TO GRANT STATE RECOGNITION TO THE TUSCARORA OF EASTERN NORTH CAROLINA, TO PROVIDE REPRESENTATION OF THE TUSCARORA ON THE STATE COMMISSION OF INDIAN AFFAIRS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF*

ADMINISTRATION, NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, TO UPDATE THE DEPARTMENT'S WEBSITE AND PUBLICATIONS TO INCLUDE THE TUSCARORA OF EASTERN NORTH CAROLINA.

Includes whereas clauses. Enacts new GS 71A-7.3 officially recognizing as The Tuscarora, as of July 1, 2024, the Indians comprising the Tuscarora Indian Nation of North Carolina Prospect Longhouse, Tuscarora Nation of North Carolina, and the Tuscarora Tribe of North Carolina, whose ancestors, in 1718, entered a treaty with the NC government and were granted Indian Woods in Bertie County and who are of the same linguistic stock as the other tribes of the Iroquois Confederacy of New York and Canada. Provides that they will continue to enjoy all their rights, privileges, and immunities as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governmental duties and powers similar to the State, being recognized as eligible for the special programs and services provided by the United States to Indians because of their status. Requires the Tuscarora to (1) maintain individual enrollment criteria, giving an opportunity for unenrolled Tuscarora descendants to enroll and (2) govern themselves in a way that benefits unifies all Tuscarora that come under their governance.

Amends GS 143B-407 by increasing by two the number of representatives of the Indian community on the State Commission of Indian Affairs, by adding two members of the Tuscarora.

Appropriates from the General Fund to the Department of Administration, North Carolina Commission of Indian Affairs, \$20,000 in nonrecurring funds for the 2024-2025 fiscal year to update the Department's website and publications to include The Tuscarora of Eastern North Carolina.

Effective July 1, 2024.

Intro. by Goodwin.

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Administration, Native Americans**

H 971 (2023-2024) **HOTEL OPERATION AND PERSONNEL EDUCATION ACT**. Filed May 1 2024, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP HUMAN TRAFFICKING AWARENESS TRAINING, REQUIRING LODGING ESTABLISHMENTS AND ACCOMMODATION FACILITATORS TO IMPLEMENT HUMAN TRAFFICKING AWARENESS TRAINING, AND INCREASING THE PUNISHMENT FOR A FIRST OFFENSE OF SOLICITING A PROSTITUTE.*

Enacts Article 24, GS Chapter 130A, titled *Human Trafficking Public Awareness in Lodging Establishments*. Includes defined terms which incorporate existing GS Chapter 130A definitions for "employee", "employer", and "lodging establishment". Directs the Department of Health and Human Services (DHHS) to develop a training course to inform and educate individuals about human trafficking in consultation with the NC Human Trafficking Commission (Commission). Requires DHHS to ensure the training is accessible on its website to individuals with login credentials provided by DHHS. Permits DHHS to identify existing courses. Requires lodging establishments to ensure employees with housekeeping or check-in and check-out responsibilities receive annual human trafficking awareness training developed or identified by DHHS; implement a reporting procedure for suspected human trafficking; and prominently display signs that contain the National Human Trafficking Resource hotline information in consultation with the NC Restaurant and Lodging Association. Makes willful and knowing violations subject to a \$500 penalty for the first violation, \$1,000 for a second violation, and \$2,000 for subsequent violations. Specifies that the Article does not create a private cause of action or limit or impair other rights and available remedies under law.

Enacts GS 42A-39, establishing conditions that must be met for accommodation facilitators, defined by incorporating the definition for the term set forth in GS Chapter 105, to contract with a landlord or real estate broker offering a vacation rental for lease. Directs that facilitators (1) require vacation rental providers acknowledge completion of human trafficking awareness training developed or identified by DHHS (applicable to lodging establishments under new Article 24, GS Chapter 130A) within the last year and (2) implement a reporting procedure for suspected human trafficking occurring at vacation rentals. Makes failure of accommodation facilitators to satisfy either requirement, or the intentional material misstatement of a vacation

rental provider in an acknowledgement of training, an unfair trade practice in violation of GS 75-1.1. Specifies that the statute does not create a private cause of action or limit or impair other rights and available remedies under law.

Makes the above changes applicable to activities occurring on or after October 1, 2024.

Amends GS 14-205.1 to make solicitation of another for the purpose of prostitution a Class I felony (currently, a Class 1 misdemeanor). Applies to offenses committed on or after December 1, 2024.

Appropriates \$500,000 in nonrecurring funds from the General Fund to the Administrative Office of the Courts for 2024-25 to further the work of the Commission. Effective July 1, 2024.

Intro. by Crutchfield, Reeder, Arp, Sasser.

[APPROP, GS 14, GS 42A, GS 130A](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Department of Justice](#)

H 972 (2023-2024) [NCVETS TUITION SUPPLEMENT PROGRAM](#). Filed May 1 2024, *AN ACT TO ESTABLISH THE NORTH CAROLINA VETERANS EDUCATION TUITION SUPPLEMENT PROGRAM AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.*

To be summarized.

Intro. by Moss.

[View summary](#)

H 973 (2023-2024) [BAN PFAS IN FOOD PACKAGING](#). Filed May 1 2024, *AN ACT TO BAN INTENTIONALLY ADDED PFAS IN COVERED PRODUCTS, INCLUDING FOOD PACKAGING, COMPOSTABLE CONTAINERS, AND PACKAGING COMPONENTS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY.*

To be summarized.

Intro. by Autry, Harrison, Butler, Cervania.

[View summary](#)

H 974 (2023-2024) [SPCL ECONOMIC DEVELOPMENT FUND FOR AIRPORTS](#). Filed May 1 2024, *AN ACT TO ESTABLISH A SPECIAL ECONOMIC DEVELOPMENT FUND FOR AIRPORTS.*

To be summarized.

Intro. by Reives, Carney, Belk, Ball.

[View summary](#)

H 975 (2023-2024) [SPCL ECONOMIC DEVELOPMENT FUND FOR RAIL](#). Filed May 1 2024, *AN ACT TO ESTABLISH A SPECIAL ECONOMIC DEVELOPMENT FUND FOR RAIL.*

To be summarized.

Intro. by Reives, Carney, K. Brown, Cervania.

[View summary](#)

H 976 (2023-2024) [WORKFORCE DEVELOPMENT PROGRAM](#). Filed May 1 2024, *AN ACT TO ESTABLISH THE COMMUNITY COLLEGE STATE ENDOWMENT TRUST FUND, TO REQUIRE THE DEPARTMENT OF COMMERCE TO SHARE EMPLOYMENT OUTCOME DATA WITH COMMUNITY COLLEGES, TO PROVIDE FUNDING FOR THE EXPANSION OR CREATION OF NEW COOPERATIVE INNOVATIVE HIGH SCHOOLS IN UNDERSERVED COUNTIES, AND TO ESTABLISH A SHORT-TIME COMPENSATION PROGRAM.*

To be summarized.

Intro. by Reives, Roberson, Clemmons, K. Brown.

[View summary](#)

H 977 (2023-2024) [CRISIS PREGNANCY CENTER ACCOUNTABILITY STUDY](#). Filed May 1 2024, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON CRISIS PREGNANCY CENTERS DOING BUSINESS IN THE STATE; AND APPROPRIATING FUNDS FOR THAT PURPOSE.*

To be summarized.

Intro. by von Haefen, Butler, Crawford, Staton-Williams.

[View summary](#)

PUBLIC/SENATE BILLS

S 166 (2023-2024) [2024 BLDG. CODE REGULATORY REFORM. \(NEW\)](#) Filed Feb 27 2023, *AN ACT TO AMEND VARIOUS DEVELOPMENT REGULATIONS; AMEND VARIOUS NORTH CAROLINA STATE BUILDING CODES; AMEND VARIOUS CONSTRUCTION CONTRACTORS AND DESIGN PROFESSIONALS REGULATIONS; AMEND VARIOUS ENVIRONMENT AND ENVIRONMENTAL HEALTH REGULATIONS; REORGANIZE THE BUILDING CODE COUNCIL; AND REMOVE ETJ WITHIN THE COUNTY OF MOORE.*

House committee substitute to the 2nd edition adds the following new content. Adds Parts and headings. Makes conforming changes to the act's titles.

Part I.

Section 1.2

Enacts new GS 130A-331 prohibiting persons and local governments locating, constructing, altering or operating a public water system, or intending to do those things, from requiring the installation of a redundant inline water service shutoff or cutoff valve between a water service meter and a customer receiving water service within a dwelling that is subject to the North Carolina Residential Code. Sets out exclusions. Effective January 1, 2025.

Section 1.3

Amends GS 160D-402 by specifying that all fees collected by a building inspection department for the administration and enforcement of provisions in Article 11 (Building Code Enforcement) of GS Chapter 160D must be used to support the administration and operations of the building inspection department and for no other purposes (was, fees for support, administration, and implementation of programs authorized by GS Chapter 160D and all of those fees must be used for no other purposes). Effective July 1, 2024.

Section 1.4

Amends GS 160D-1110(b) by adding that a local government that reviews residential building plans for the purpose of issuing a building permit must perform its initial review concurrently with processes for project development approval required from other State, federal, and local agencies; failure to conduct the initial review within 15 business days entitles the applicant to a refund that is to be calculated as specified. Applies to permit applications submitted on or after July 1, 2024.

Section 1.5

Amends GS 160D-1110(h), which prohibits a local government from withholding a building permit or certificate of occupancy that is eligible to be issued, to compel, with respect to another property or parcel, completion of work for a separate permit or compliance with land-use regulations unless otherwise authorized by law or unless the local government reasonably determines the existence of a public safety issue directly related to the issuance of a building permit or certificate of occupancy. Adds a provision that excludes from the definition of *public safety issue* improvement, installation, placement, repair, or replacement of: (1) landscaping around dwellings subject to the North Carolina Residential Code within individual lots; (2) landscaping within common areas within a subdivision development; and (3) street lighting fixtures within common areas of a subdivision development.

Section 1.6

Amends GS 160D-403 by prohibiting administrative staff from requiring unrestricted written consent from a permit applicant to enter any premises or area that is not public as a condition to accepting an application for, or the issuance of, development approvals.

Provides that local governments and administrative staff are prohibited from acting upon such unrestricted written consent.

Section 1.7

Amends GS 160D-1104 by prohibiting an inspector from requiring affidavits attesting that work is in compliance with the North Carolina Residential Code instead of conducting inspections required for work that is subject to the Code.

Section 1.8

Amends GS 160D-804 by prohibiting a subdivision regulation from limiting, or prohibiting the use of, curb and gutter design standards adopted by the Department of Transportation (DOT) for subdivision roads adjacent to, and serving, dwellings subject to the North Carolina Residential Code. Applies to permit applications submitted on or after October 1, 2024.

Section 1.9

Amend GS 160D-804 by prohibiting a subdivision regulation from requiring the addition of *supplemental remote residential parking facility* (as defined) requirements within subdivision developments. Applies to permit applications submitted on or after October 1, 2024.

Section 1.10

Amends GS 160D-804(c) by adding that a regulation adopted by a city must not require a developer to design and construct pedestrian facilities within rights-of-way for new streets designed as public and to be submitted to the DOT for review under GS 136-102.6 (compliance of subdivision streets with minimum standards of the Board of Transportation required of developers) for small residential subdivisions in areas subject to municipal planning and development regulation in an extraterritorial jurisdiction established under GS 160D-202, unless the city accepts long-term maintenance responsibilities in a written agreement with the DOT before the construction of pedestrian facilities.

Requires a city that required a developer to design and construct pedestrian facilities on or after January 1, 2020, as described above, to coordinate with DOT to accept long-term maintenance responsibility by written agreement for those facilities.

Specifies that this does not affect any long-term maintenance agreements between any municipality and DOT for pedestrian facilities in effect on the effective date of this section.

Section 1.11

Amends GS 160D-804(j), concerning private driveway pavement design standards, by making a clarifying change.

Section 1.12

Adds new Article 15, Miscellaneous Provisions, to GS Chapter 160D, providing as follows. Enacts new GS 160D-1501, which allows a *model home*, as defined, to include an area designed as a Business Group B occupancy. Allows a local government, when construction of a model home is completed, to issue a temporary certificate of occupancy if the permit holder, in their request for the certificate, designates certain areas within the model home as a Business Group B occupancy. Requires that model homes designated a Business Group B occupancy meet accessibility requirements; any other areas must be used for display purposes for prospective buyers to view the product and for no other purpose. Requires the temporary certificate of occupancy to be conspicuously posted and maintained at entrances to model home display areas specifying that the display area is only for prospective buyers to view the developer's product. Requires any person and local governments authorizing the connection of electrical, water, sewer, and related utilities to a model home to connect services upon issuance of a temporary certificate of occupancy. Requires a permit holder receiving a temporary certificate of occupancy for a model home to shut off all water to bathroom facilities within the home and post signs on those bathrooms with accessible bathroom facility locations on the premises.

Applies to applications for temporary certificates of occupancy submitted on or after January 1, 2025.

Section 1.13

Amends GS 160D-804.1, concerning performance guarantees, as follows. Adds the requirement that local governments inspect improvements subject to a performance guarantee within 30 days of a request received from a developer and advise the developer as to whether improvements meet the required specifications. Provides that if there is a disagreement between the local government and developer over whether the improvement is completed to the local government's specifications, a developer may get a certification under seal from a licensed professional engineer that the required improvements have been completed to the local government's specifications. Requires a performance guarantee to be returned or released within 30 days upon acknowledgment by the local government that the improvements are complete or upon receipt of a certification under seal from a professional engineer that the improvements have been completed to the local government's specifications (was, returned or released in a timely manner upon acknowledgment by the local government that the improvements are complete). Also requires the return of letters of credit or escrowed funds within 30 days upon completion of the required improvements to its specifications or upon acceptance of the required improvements. Adds a prohibition on requiring a performance guarantee, or other security, for the maintenance of any improvement once the improvement is completed to the local government's specification or upon receipt of a certification under seal from a professional engineer that the improvements have been completed to the local government's specifications.

Applies to permit applications submitted on or after January 1, 2025.

Part II.

Section 2.1

Amends GS 143-138 by prohibiting a political subdivision from adopting local fire prevention code provisions which apply to dwellings subject to the North Carolina Residential Code that are not prescriptively required by the Code.

Section 2.2

Requires that notwithstanding Section R302 and Table R302.1 in the North Carolina Residential Code, a fire separation distance between the exterior end wall of a townhouse building with a fire-resistance rating of 0 hours and closest interior lot line may be less than 3 feet when any exterior elements of an adjacent townhouse or building are located at a distance equal to or greater than 6 feet. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt a rule to amend the Section and Table consistent with this provision.

Section 2.3

Requires that for single-phase 15- and 20- ampere receptacles supplied by a branch circuit dedicated to electric sump pumps to prevent flooding installed in locations specified in Sections 210.8(A)(4) and 210.8(A)(5) of the North Carolina Electrical Code required to have ground-fault circuit interrupter protection for personnel, the ground-fault circuit interrupter protection reset for those receptacles must be installed at a readily accessible location within the dwelling unit, and with an indicator light, and clear descriptive labeling to indicate that the receptacles are de-energized due to ground-fault protection application rendering the sump pumps inoperable. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt a rule to amend the Section and Table consistent with this provision.

Section 2.4

Requires that notwithstanding Section R308.4 of the North Carolina Residential Code, glazing adjacent to a landing at the top of a stairway or ramp located more than 18 inches above the landing not be considered a hazardous location. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt a rule to amend the Section and Table consistent with this provision.

Section 2.5

Specifies that notwithstanding Section P2801.7 of the North Carolina Residential Code, elevation of the ignition source is not required for electric water heaters. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt a rule to amend the Section and Table consistent with this provision.

Section 2.6

Amends Section 6 of SL 2023-108, which amended insulation requirements for unvented attic and enclosed rafter assemblies, as follows. Adds the requirement that the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) amend R402 Rules of the Energy Conservation Code to include, as an alternative to residential ceiling insulation minimums, minimum insulation requirements for the use of air-impermeable insulation in areas with unvented attic and unvented enclosed rafter assemblies. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt a rule to amend the Section and Table consistent with this provision.

Requires enforcement of the Code following these provisions until the rule is amended consistent with the provision above, as follows. Where R402 Rules require R-38 insulation in the ceiling, installing air-impermeable insulation, as follows, to the underside or directly above the roof deck is deemed to satisfy the R-38 requirement in areas with unvented attic or unvented enclosed rafter assemblies; makes conforming changes.

Section 2.7

Amends Section 9 of SL 2023-108, which amended the Residential Code to include three- and four-family dwellings, as follows. Defines the term *three-and four-family dwelling* as it is used in Section 9. Requires the adoption of rules to amend the Residential Code to include three- and four-family dwellings (was, three-family/triplex and four-family/quadplex dwellings) within its scope by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to the Code. Prohibits requiring greater than a 2-hour fire resistance rating for three- and four-family dwelling (was, for triplex and quadplex) common wall, floor, and ceiling separation assemblies or requiring automatic fire sprinkler systems within the Residential Code. Adds that until the effective date of the rule to amend the Code that the Council is required to adopt under this section, the Council and local governments enforcing the Code must follow these provisions as they relate to the construction of three-and four-family dwellings.

Adds the following.

Requires three- and four-family dwellings to be constructed in conformance with the North Carolina Residential Code, and when Residential Code does not address materials, design, or methods of construction unique to three- and four-family dwellings, reasonable materials, design, or methods of construction must be used and approved when in compliance with the intent and provisions of this section, and with reasonable extension of the provisions of the Code. Requires that three- and four-family dwellings (1) be required to have a 2-hour fire resistance rating for three- and four-family dwelling common wall, floor, and ceiling separation assemblies; (2) not be required to have automatic fire sprinkler systems installed; and (3) have exits located on an exterior wall or through a common 2-hour fire resistant rated corridor to the public way. Requires the Building Code Council (Council) (or Residential Code Council on or after January 1, 2025) to adopt rules substantively identical to this provision.

Allows a person in the State using a residential contractor general contractor license classification to engage in all construction and demolition activity pertaining to the construction of three- and four-family dwellings, and the State Licensing Board for General Contractors can't take disciplinary action against a licensee for the unauthorized practice of contracting solely on the basis of exceeding a residential contractor license classification pending the transition of the three- and four-family dwellings to the North Carolina Residential Code pursuant to this section.

Part III.

Section 3.1

Amends GS 87-25 regarding the authority of the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to seek injunctive relief for violations of Article 2. Enacts a new subsection to mandate that the court award the Board its reasonable attorneys' fees, up to \$5,000, plus the costs associated with obtaining the relief and the investigation and prosecution of the violation (replacing existing law which authorizes the court to award the Board its reasonable costs associated with the investigation and prosecution). Specifies that exam applicants who have failed to pay a court award are not allowed to take any exam offered by the Board until the award has been satisfied. Makes technical changes. Amends GS 87-48 to enact an identical subsection applicable to actions brought by the Board of Examiners of Electrical Contractors for violations of Article 4.

Section 3.2

Amends GS 87-43.3(a)(1) regarding limited electrical contractor licenses. Now sets the restrictions of a limited license to require that the equipment or installation used in the project is rated at not more than 1,000 (was, 600) volts. Effective October 1, 2024.

Section 3.3

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

Section 3.4

Amends GS 143-151.12 to give the North Carolina Code Officials Qualification Board (Board) the power to certify persons as being qualified under the provisions of this Article to be North Carolina State Building Code Permit Technicians. Enacts new GS 143-151.22 requiring the Board to develop a North Carolina State Building Code Permit Technician certification program and State Building Code Permit Technician Certificate. Requires passing an exam, made up of specified topics, to obtain a certificate. Allows the Board to establish professional development requirements for State Building Code Permit Technicians as a condition of certificate renewal. Requires certificate holders to present evidence to the Board at each certificate renewal that during the 12 months before the certificate expiration date, the certificate holder has completed the required number of credit hours in Board-approved courses. Requires certificates to be renewed annually. Requires the Board to establish a fee schedule for initial certification and renewal certification, with an application fee of no more than \$20 and a fee of no more than \$10 for the issuance of a renewal certification. Allows a \$4 late renewal fee. Allows granting a certificate without taking the exam to a person with a Building Inspector standard certificate issued by the Board and who is in good standing. Allows the Board to grant a certificate to a person who does not take the exam if at the time of application the person is similarly certified as a permit technician in good standing by a similar board of another jurisdiction or certified as a permit technician in good standing by the International Code Council. Specifies that such a certificate expires after one year unless, within that time period, the holder completes a short course.

Effective July 1, 2024.

Section 3.5

Amends GS 83A-7 to allow a person who has not completed an accredited master's or bachelor's degree in architecture to apply for architecture licensure by examination if the person meets the specified criteria related to training and experience. Effective October 1, 2024.

Section 3.6

Enacts new GS 160D-111 prohibiting administrative staff, Code-enforcement officials, or other local government personnel charged with reviewing plans required by GS Chapter 160D from making administrative decisions on the appropriateness of the scope of work covered by architect or engineer seals of designs affixed to work as required by GS Chapter 83A, GS Chapter 89C, the North Carolina State Building Code, or as otherwise required by law. Specifies that this does not prevent a local government from reviewing work to determine whether seals of design are required to be affixed to work as required by law, or filing a complaint.

Part IV.

Section 4.1

Amends Section 13(b) of SL 2023-108, to provide that if before the effective date of GS 160D-925(d1), a local government has required an owner of a privately owned and maintained stormwater control project to make payments to the local government to ensure assets are available for maintenance, repair, replacement, and reconstruction costs of the owners' stormwater control project or other stormwater control projects within the local government's jurisdiction, the local government must, upon request of the owner of the stormwater control project, immediately refund the monies to the owner of the project to make the funds accessible to the owner (was, the local government must make the funds accessible to the owner) to cover listed costs for the owner's stormwater control project.

Section 4.2

Requires that the Stormwater Control Measure Rule, 15A NCAC 02H .1050 (Minimum Design Criteria for All Stormwater Control Measures, be implemented as follows. Requires the Environmental Management Commission (EMC) to eliminate the requirement that an Operation and Management (O&M) Agreement be referenced on the final plat and recorded with the county register of deeds upon final plat approval. Instead, requires that the EMC require that an O&M Agreement be referenced upon any instrument of title (as defined) recorded with the county register of deeds. Requires the Environmental Management Commission to adopt a rule to amend the Stormwater Control Measure Rule consistent with this provision.

Section 4.3

Amends GS 143-215.1(d) concerning fast track applications and permits for sewer systems, sewer system extensions and pretreatment facilities, land application of waste, and for wastewater treatment facilities not discharging into the State's surface waters, as follows. Provides that when there is an application digital submission option, the submission constitutes a written submission. Removes language considering an application to be approved when the Commission fails to act on an application for a permit, including a renewal of a permit, within 90 days after all application information has been submitted. Instead, provides that if the Commission does not act on an application for a permit or for a renewal after the applicant submits all required information, the application is deemed approved. Requires a review of a new application for a sewer system extension when a professional engineer provides certification that the design meets or exceeds Minimum Design Criteria within 30 working days of receipt of the application to determine if the application is approved. If approved, requires the Commission to issue a receipt letter or electronic response stating that the application is approved; deems the application incomplete if additional information is required to complete the review and sets out additional steps that must be taken. Provide that within 10 working days of receiving all necessary certifications from a professional engineer that the sewer system extension complies with all applicable rules and Minimum Design Criteria, the certifications are deemed approved and the Commission must issue the permit or permit renewal. Provides that if the Commission fails to act on an application for any other permit within 90 working days after the applicant submits all information required by the Commission, the application is deemed approved. Effective July 1, 2024. Requires the Commission to adopt amendments to its relevant permitting rules to reflect these changes.

Section 4.4

Amends the purpose of GS Chapter 90A, Article 5, Certification of On-Site Wastewater Contractors and Inspectors, under GS 90A-70 to include ensuring the integrity and competence of authorized on-site wastewater evaluators, private compliance inspectors in addition to point-of sale inspections, authorized on-site wastewater evaluators, and private compliance inspectors.

Amends GS 90A-71 by adding and defining the terms *authorized on-site wastewater evaluator*, and *private compliance inspector*.

Amends GS 90A-72 by requiring certification as an authorized on-site wastewater evaluation before a person can value, or offer to evaluate, an on-site wastewater system. Also requires certification as a private compliance inspector before a person conducts or offers to conduct a private inspection of an on-site wastewater system for compliance with the designs of a Construction Authorization issued by a local health department or an Authorization to Construct. No longer excludes from the Article's applicability a licensed public utilities contractor installing or expanding a wastewater treatment facility designed by a registered professional engineer.

Amends GS 90A-75 by increasing the fees for application for grade level II, application for grade level IV; sets out separate certification renewal fees for contractor or point of sale inspector, authorized on-site wastewater evaluators, and private compliance inspector; establishes a fee for application for private compliance inspector.

Amends GS 90A-77 by amending the certification requirements by setting out distinct requirements for grade level II contractor certification applicants, grade level IV contractor certification applicants, inspector certification applicants, authorized on-site wastewater evaluator applicants, and private compliance inspector applicants. Requires that an exam applicant submit a complete package no later than 15 business days before the exam date in order to be considered eligible for the exam. Makes conforming and clarifying changes.

Amends GS 90A-78 by changing the expiration date of certifications to November 15 of each year. Sets out continuing education requirements that vary for each of the types of contractors, inspectors, and evaluators. Amends the renewal process for expired certifications.

Amends GS 90A-79 by establishing the time frame within which requests for approval of continuing education programs or courses must be submitted for review.

Amends GS 90A-80 by making conforming changes concerning records of complaints against individuals to account for the newly included evaluators and inspectors. Allows the requirement that the Board provide local health departments with notification of changes in certifications, complaints, suspensions, and reinstatements, to be done electronically via the Environmental Health Listserv.

Amends GS 90A-81 by making conforming changes to the remedies provision to account for the newly included evaluators and inspectors.

Section 4.5

Amends GS 130A-337 to allow applicants to contract with a certified private compliance inspector for any required verifications or inspections of an on-site wastewater system for compliance with the designs of a Construction Authorization issued by a local health department or an Authorization to Construct when the four specified criteria are met, including that the private compliance inspector is not the contractor of the on-site wastewater system being inspected or employed by the contractor of the system being inspected, and the private compliance inspector documents the compliance inspection with the specified form. Discharges and releases the Department and its agents as well as the local health department from any liabilities, duties, and responsibilities arising out of or attributed to an on-site wastewater system inspection under these provisions.

Section 4.6

Amends GS 89F-25 by increasing the existing fees related to licensed soil scientists and creates fees for application for a corporate certificate of licensure and for renewal of those licenses.

Section 4.7

Amends GS 143-300.8 to require all local health departments to enter into annual agreements with the Department of Health and Human Services (DHHS) to provide environmental health services; requires the agreement to include a requirement for quality assurance for all environmental health services. Adds and defines the terms *department*, *local health department*, *registered environmental health associate*, *registered environmental health specialist*, and *registered environmental health specialist intern*. Requires any registered environmental health specialist, registered environmental health specialist intern, or registered environmental health associate (was, any local health department sanitarian) enforcing rules of the Commission for Public Health (CPH) under DHHS authority to be defended by the Attorney General and protected from liability in any civil or criminal action or proceedings in their official or individual capacity. Requires DHHS to pay half (was, pay all) of any judgment against those individuals or any settlement made on behalf of those individuals. Requires a local health department

employing or contracting with those individuals at the time of the underlying act or omission that gives rise to the judgment or settlement to pay half. Excludes from Attorney General defense and DHHS payment requirements those who have not entered into a required annual agreement. Specifies that these individuals will not be defended by the Attorney General or protected from liability for any claim arising from an act or omission made in the scope and course of enforcing a local rule adopted under GS 130A-335(c).

Section 4.8

Requires that 15A NCAC 02C .0107, the Construction Standards Rule, be implemented so that the horizontal separation between a water supply well and potential sources of groundwater contamination that exist at the time the well is constructed must be no less than 50 feet for any single-family dwelling with the septic tank and drainfield. Requires the Environmental Management Commission to adopt a rule to amend the Construction Standards Rule consistent with this provision.

Section 4.9

Amends GS 130A-336.1 (alternative process for wastewater approval), as amended by Section 3 of SL 2023-90, as follows. Clarifies that an owner of a wastewater system must submit the required materials to the local health department prior to receiving a certificate of occupancy. Sets forth process by which health department must notify the appropriate inspections department upon receiving the materials by the owner of a wastewater system. Now specifies that a wastewater system authorized under GS 130A-336.1 is not affected by a change in ownership of the site of the wastewater system (was, system was transferrable to new owner upon consent of the professional engineer with new contract required). Amends GS 130A-336.2, concerning alternative wastewater system approvals for nonengineered systems, by requiring the listed items to be submitted prior to receiving a certificate of occupancy from the appropriate inspection department; no longer requires inclusion of the specified fee. Requires within two business days of receiving this required documentation that the local health department notify the appropriate inspections department; if it fails to do so, the owner of the wastewater system may submit the authorization to operate to the appropriate inspections department and receive a certificate of occupancy. Amends GS 130A-336.2(o) (alternative wastewater system approvals for nonengineered systems), as amended by Section 4 of SL 2023-90, to now specify that a wastewater system authorized under the law is not affected by a change in ownership of the site of the wastewater system (was, system was transferrable to new owner upon consent of the Authorized On Site Wastewater Evaluator with new contract required). Effective retroactive to July 10, 2023.

Section 4.10

Requires that 15A NCAC 18E .0102, the Applicability Rule, be implemented to apply to any wastewater system for which an operation permit, authorization to operate, certificate of completion, or an equivalent approval has been issued prior to January 1, 2024. Requires wastewater systems permitted on or after July 1, 1977, to comply with the setback requirements in 15A NCAC 18E and if it is expanded, modified, or repaired, and the wastewater strength is not increasing, any existing wastewater system components not rendered unusable or ineffective so that the component will not function as designed must not be required to meet the requirements of 15A NCAC 18E. Requires all components to comply with the setback requirements in 15A NCAC 18E. Requires that when a wastewater system installed prior to July 1, 1977, is expanded, modified, or repaired, and the wastewater strength is not increasing, any existing wastewater system components that are not rendered unusable or ineffective so that the component will not function as designed must not be required to meet the requirements of 15A NCAC 18E except: setbacks to drinking water wells shall not be reduced, and setbacks to surface water bodies specified in 15A NCAC 24 18E .0601 must not be reduced by more than 50%. Considers existing wastewater systems for which no permit can be found and with no evidence that the wastewater system was installed in violation of Article 11 of GS Chapter 130A and the rules in effect at the time of installation to have an operation permit or its equivalent in accordance with this rule. Requires the CPH to adopt a rule to amend the Applicability Rule consistent with this provision.

Section 4.11

Requires that 15A NCAC 18E .0105, the Definitions Rule, be implemented to define terms as follows. *Artificial drainage systems* include foundation drains with cuts greater than two feet. *Collection sewer* shall not include any appurtenances used to transport waste within a wastewater system. *Full kitchen* means a kitchen that contains either domestic or commercial equipment and is used for cooking or preparing foods onsite. *Normal water level* means the water level within a pond, lake, or other type of impoundment, natural or man-made, at the elevation of the outlet structure or spillway. *Warming kitchen* means a kitchen that contains domestic equipment and is used for plating or dispensing food prepared or cooked at another location. Deletes the definition of *stream*. *Intermittent stream* means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the perched or seasonal high water table; allows the flow of

an intermittent stream to be supplemented by stormwater runoff. *Perennial stream* means a well-defined channel containing water year-round during a year of normal rainfall with the aquatic bed located below the perched or seasonal high water table for most of the year. *Groundwater* is the primary source of water for a perennial stream, but it may also carry stormwater runoff. Requires the CPH to adopt a rule to amend the Definitions Rule consistent with this provision.

Section 4.12

Requires that 15A NCAC 18E .0202, the Application Rule, be implemented so that prior to the repair of a wastewater system, an application must be submitted to the local health department. Requires the CPH to adopt a rule to amend the Application Rule consistent with this provision.

Section 4.13

Requires that 15A NCAC 18E .0203, the Improvement Permit Rule, be implemented so that an improvement permit is applicable to both initial and repair dispersal field areas identified and approved on the improvement permit. Requires the CPH to adopt a rule to amend the Improvement Permit Rule consistent with this provision.

Section 4.14

Requires that 15A NCAC 18E .0204, the Construction Authorization Rule, be implemented so that the construction authorization must also specify the initial water system type and layout, location of all initial wastewater system components, and design details and specifications for supply lines and force mains. Requires the CPH to adopt a rule to amend the Application Rule consistent with this provision.

Section 4.15

Requires that 15A NCAC 18E .0206, the Existing System Approval for Reconnections and Property Additions Rule, be implemented as follows. The local health department, an Authorized On-Site Wastewater Evaluator, or a certified inspector may issue an existing system approval when there is no increase in design daily flow or wastewater strength for the following: (1) a reconnection for a new or improved facility or (2) a site modification that requires a building permit. Requires existing system approvals as described in Paragraph (a) of this Rule to be issued by an authorized agent, Authorized On-Site Wastewater Evaluator, or certified inspector upon determination that: (1) there is no current or past uncorrected malfunction of the system as described in 15A NCAC .1303(a)(2), (2) the design daily flow and wastewater strength for the proposed facility do not exceed that of the existing system, and (3) the proposed facility or site modification meets the setbacks in 15A NCAC .0600. Sets the existing system approval to expire one year after issuance. Requires that when an approval cannot be issued in accordance with this Rule, a signed, written report must be provided by the authorized agent, Authorized On-Site Wastewater Evaluator, or certified inspector, as applicable, to the applicant describing the reasons for the denial, citing the applicable rule. Requires the local health department to include notice of the right to appeal under GS 130A-24 and GS Chapter 150B. Allows the owner of a wastewater system to decide to use the Affidavit for Existing Wastewater System Approval to obtain a wastewater system approval and any necessary permits. Requires the CPH to adopt a rule to amend the Existing System Approval for Reconnections and Property Additions Rule consistent with this provision.

Section 4.16

Requires that 15A NCAC 18E .0207, the Alternative Wastewater System Permitting Options Rule, be implemented so that an engineer option permit may be used if the wastewater system design requires a professional engineer. Sets out items that must be included in the Notice of Intent. Requires the CPH to adopt a rule to amend the Alternative Wastewater System Permitting Options Rule consistent with this provision.

Section 4.17

Requires that 15A NCAC 18E .0301, Owners Rule, be implemented as follows. Requires an easement or encroachment agreement for the permitting of: (1) any part of the wastewater system is located in a common area with other wastewater systems, (2) any part of the wastewater system is located in an area with multiple or third-party ownership or control, (3) any part of the wastewater system is proposed to be in an off-site area, or (4) any part of the wastewater system and the facility are located on different lots or tracts of land and cross a property line or right-of-way. Requires any necessary easements, rights-of-ways, or encroachment agreements to specify in a deed by metes and bounds description the area or site required for the wastewater system and repair area, including force mains and supply lines. Requires the CPH to adopt a rule to amend the Owners Rule consistent with this provision.

Section 4.18

Requires that 15A NCAC 18E .0302, Local Health Department and Department Rule, be implemented as follows. Provides that when a local health department issues a notice of violation to an owner of a wastewater system under this rule, the local health department may pursue legal remedies no sooner than 30 days after the date of the notice of violation, unless the notice of violation specifies a shorter time frame. Requires the local health department to issue a notice of violation to the owner when an individual advanced pretreatment system at a single site is out of compliance in accordance with 15A NCAC 18E .1302(f). Requires the authorized agent to issue a written notice of non-compliance to the owner when the wastewater system is non-compliant with Article 11 of GS Chapter 130A, the Rules of this Subchapter, or conditions in the operation permit or authorization to operate. Requires submission of a monthly activity report to the Department, which collects information on the numbers and types of permits issued by the local health department. Requires adherence to specified laws and guidance. Requires the CPH to adopt a rule to amend the Local Health Department and Department Rule consistent with this provision.

Section 4.19

Requires that 15A NCAC 18E .0303, the Licensed or Certified Professionals Rule, be implemented as follows. Prohibits a local health department from requiring a North Carolina Professional Engineer to design either of the following: (1) pressure dispersal systems or pressure dosed gravity systems with a design daily flow greater than 600 gallons per day serving a single design unit or (2) two or more septic tanks or advanced pretreatment units, each serving a separate design unit and served by a common dosing tank. Requires the CPH to adopt a rule to amend the Licensed or Certified Professionals Rule consistent with this provision.

Section 4.20

Requires that 15A NCAC 18E .0401, the Design Daily Flow Rule, be implemented as follows. Provides that in calculating design daily flow, the designer is not required to use the maximum building occupancy assigned by the local fire marshal. Sets the design daily flow for a recreational park trailer or park model trailer 400 square feet or less in a recreational vehicle park at 120 gallons per space. The design daily flow for a food establishment with multiuse articles is 25 gallons per seat open 6 hours per day or less, or 40 gallons per seat when open 6-16 hours per day and shall not be based on square footage of floor space. The design daily flow for a food establishment with single service articles is 20 gallons per seat open 6 hours per day or less, or 30 gallons per seat when open 6 to 16 hours per day and shall not be based on square footage of floor space. The design daily flow for rest homes, assisted living homes, group homes, and nursing homes shall increase by 60 gallons per day per resident employee, regardless of the presence of laundry facilities. The design daily flow for drug rehabilitation, mental health, and other care institutions shall be 12 gallons per day per employee working an 8-hour shift or less or 60 gallons per day per resident employee, increasing by 2 gallons per employee per hour when an employee works more than an 8-hour shift. The design daily flow for fitness centers, spas, karate, dance, and exercise shall be 5 gallons per person, increasing by 10 gallons per person if the facility includes showers. The design daily flow for day schools with a gymnasium only shall be 9 gallons per day per student. Day care facilities shall be reclassified as "family child care home or child care centers." Requires the CPH to adopt a rule to amend the Design Daily Flow Rate Rule consistent with this provision.

Section 4.21

Requires that 15A NCAC 18E .0508, the Available Space Rule, be implemented as follows. The repair area requirement of Paragraph (a) of this Rule shall not apply to a lot or tract of land if that lot or tract is described in a recorded deed or a recorded plat on or before January 1, 1983. DHHS must specify the information required for a wastewater system to be approved with a two-year field demonstration. Wastewater systems with a rated capacity greater than 1,500 gallons per day that have a letter from NSF International stating that the system will comply with NSF/ANSI Standard 350 may eliminate the requirement for a repair area when installed in Group I soils. Requires the CPH to adopt a rule to amend the Available Space Rule consistent with this provision.

Section 4.22

Requires that 15A NCAC 18E .0601, the Location of Wastewater Systems Rule, be implemented using new minimum setback and other building requirements for private drinking water wells or upslope springs serving a single-family dwelling unit. Requires CPH to adopt a rule to amend the Location of Wastewater Systems Rule consistent with this provision.

Section 4.23

Requires that 15A NCAC 18E .0701, the Collection Sewers Rule, be implemented so that collection sewers for wastewater systems with a design daily flow greater than 3,000 gallons per day be designed and constructed in accordance with the criteria established in this Rule. Requires CPH to adopt a rule to amend the Location of Wastewater Systems Rule consistent with this provision.

Section 4.24

Requires that 15A NCAC 18E .0702, the Raw Sewage Lift Stations Rule, be implemented so that: (1) raw sewage lift stations for wastewater systems with a design daily flow greater than 3,000 gallons per day meet all setbacks for wastewater systems in accordance with Table IX of Rule 15A NCAC 18E .0601 (Location of Wastewater Systems Rule) and (2) raw sewage lift stations for wastewater systems with a design daily flow greater than 3,000 gallons per day must be designed and constructed in accordance with the criteria established in this Rule. Requires CPH to adopt a rule to amend the Raw Sewage Lift Stations Rule consistent with this provision.

Section 4.25

Requires that 15A NCAC 18E .0703, the Pipe Materials Rule, be implemented so that the gravity pipe between a septic tank, gravity distribution device, and the dispersal field shall have a minimum fall of 1/8-inch per foot if the installation requirements in accordance with the criteria established in the rule are met. Requires CPH to adopt a rule to amend the Pipe Materials Rule consistent with this provision.

Section 4.26

Requires that 15A NCAC 18E .0801, the Septic Tank Capacity Requirements Rule, be implemented so that the minimum septic tank capacity serving two or more dwelling units be sized in accordance with Table XV of the rule. Directs that the rule not include any requirements that conflict with the 2018 North Carolina Plumbing Code. Requires CPH to adopt a rule to amend the Septic Tank Capacity Requirements Rule consistent with this provision.

Section 4.27

Requires that 15A NCAC 18E .0805, the Tank Leak Testing and Installation Requirements Rule, be implemented so that the tanks are only leak tested when required in the approved plans and specifications for a wastewater system designed by a professional engineer or an Authorized On-Site Wastewater Evaluator, or when the tank is constructed in place at the jobsite by a person not approved by DHHS as a tank manufacturer using bricks, blocks, or poured in place in concrete. Requires the local health department to document the observation of the leak testing. Provides for septic tank outlet pipe requirements. Requires CPH to adopt a rule to amend the Tank Leak Testing and Installation Requirements Rule consistent with this provision.

Section 4.28

Requires that 15A NCAC 18E .0901, the General Design and Installation Criteria for Subsurface Dispersal Systems Rule, be implemented so that the minimum required infiltrative surface area and trench length be calculated when high strength effluent is proposed to be discharged to a dispersal field with no advanced pretreatment as required in 15A NCAC 39 .0402(b)(1) or has not been reclassified as domestic strength effluent in accordance with 15A 40 NCAC .0402(c), a licensed professional, if required by Chapters 89C (Engineering and Land Surveying), 89E (Geologists Licensing Act), or 89F (NC Soil Scientist Licensing Act), must calculate the adjusted long term acceptance rate in accordance with 15A NCAC .0402(b)(2). Provides for procedures for wastewater system installation for serial and sequential distribution. Requires CPH to adopt a rule to amend the General Design and Installation Criteria for Subsurface Dispersal Systems Rule consistent with this provision.

Section 4.29

Requires that 15A NCAC 18E .0902, the Conventional Wastewater Systems Rule, be implemented so that the aggregate used in trenches is clean, washed gravel or crushed stone and graded or sized in accordance with size numbers 4, 467M, 5, 6, 57, or 67 of ASTM D448. Requires CPH to adopt a rule to amend the Conventional Wastewater Systems Rule consistent with this provision.

Section 4.30

Requires that 15A NCAC 18E .0904, the Large Diameter Pipe Systems Rule, be implemented so that large diameter pipe systems not be used with food service establishments or other facilities where the fats, oils, and grease exceed the limit of

domestic strength effluent. Specifies that backfill not be limited to Soil Groups I, II, or III. Requires CPH to adopt a rule to amend the Large Diameter Pipe Systems Rule consistent with this provision.

Section 4.31

Requires that 15A NCAC 18E .0905, the Prefabricated Permeable Block Panel Systems Rule, be implemented so that prefabricated permeable block panel systems not be used with food service establishments or other facilities where the fats, oil, and grease exceed the limit of domestic strength effluent. Requires CPH to adopt a rule to amend the Prefabricated Permeable Block Panel Systems Rule consistent with this provision.

Section 4.32

Requires that 15A NCAC 18E .0906, the Sand Lined Trench Systems Rule, be implemented so that there is no depth requirement for the naturally occurring receiving permeable horizon for any soil or site, nor can advanced pretreatment be required if the receiving permeable horizon is greater than 60 inches below the naturally occurring soil surface. Requires CPH to adopt a rule to amend the Sand Lined Trench Systems Rule consistent with this provision.

Section 4.33

Requires that 15A NCAC 18E .0907, the Low Pressure Pipe Systems Rule, be implemented so that the minimum required dispersal field area and trench length are calculated when high strength effluent is proposed to be discharge to a low pressure pipe field with no advanced pretreatment as required in 15A NCAC 18E 5 .0402(b)(1) or has not been reclassified as domestic strength effluent in accordance with 15A 6 NCAC .0402(c), a licensed professional, if required by GS Chapters 89C (Engineering and Land Surveying), 89E (Geologists Licensing Act), or 89F (NC Soil Scientist Licensing Act), will calculate the long term acceptance rate in accordance with 15A NCAC 18E 8 .0402(b)(2). Requires CPH to adopt a rule to amend the Low Pressure Pipe Systems Rule consistent with this provision.

Section 4.34

Requires that 15A NCAC 18E .0908, the Drip Dispersal Systems Rule, be implemented so that drip dispersal systems receiving domestic strength effluent meet the soil and site criteria identified in 15A NCAC .0908(c). Requires CPH to adopt a rule to amend the Drip Dispersal Systems Rule consistent with this provision.

Section 4.35

Requires that 15A NCAC 18E .0909, the Fill Systems Rule, be implemented so that new fill systems are only installed on sites with uniform slopes less than 15%. Requires CPH to adopt a rule to amend the Fill Systems Rule consistent with this provision.

Section 4.36

Requires that 15A NCAC 18E .1202, the Siting and Sizing Criteria for Advanced Pretreatment Systems with a Design Daily Flow Less Than or Equal to 1,500 Gallons/Day Rule, be implemented so that sandy clay loam saprolite may be used with advanced pretreatment meeting NSF/ANSI 40, Treatment Standard I, or Treatment Standard II effluent standards. Requires CPH to adopt a rule to amend the Siting and Sizing Criteria for Advanced Pretreatment Systems with a Design Daily Flow Less Than or Equal to 1,500 Gallons/Day Rule consistent with this provision.

Section 4.37

Requires that 15A NCAC 18E .1203, the Siting and Sizing Criteria for Advanced Pretreatment Systems with a Design Daily Flow Greater Than 1,500 Gallons/Day and Less Than or Equal to 3,000 Gallons/Day Rule, be implemented so that sandy clay loam saprolite may be used with advanced pretreatment meeting NSF/ANSI 40, Treatment Standard I, or Treatment Standard II effluent standards, or with advanced pretreatment with a design daily flow greater than 3,000 gallons per day. Requires CPH to adopt a rule to amend the Siting and Sizing Criteria for Advanced Pretreatment Systems with a Design Daily Flow Greater Than 1,500 Gallons/Day and Less Than or Equal to 3,000 Gallons/Day Rule consistent with this provision.

Section 4.38

Requires that 15A NCAC 18E .1205, the Advanced Pretreatment Sand Lined Trench Systems Rule, be implemented so that trench length for trench dispersal products approved with a specific dispersal field reduction in area or trench length when receiving domestic strength effluent in accordance with this Subchapter or a provisional Innovative or Accepted approval are

calculated in accordance with this Subchapter or the provisional Innovative or Accepted approval. Requires CPH to adopt a rule to amend the Advanced Pretreatment Sand Lined Trench Systems Rule consistent with this provision.

Section 4.39

Requires that 15A NCAC 18E .1301, the Operation and Maintenance of Wastewater Systems Rule, be implemented so that System Classification Type IIa is described as a conventional system with 750 linear feet of trench or less and that System Classification Type IIIa is deleted. Requires CPH to adopt a rule to amend the Operation and Maintenance of Wastewater Systems Rule consistent with this provision.

Section 4.40

Requires that 15A NCAC 18E .1305, the Local Health Department Responsibilities for Wastewater System Operation and Maintenance Rule, be implemented so that the authorized agent issues a written notice of non-compliance to the owner when the wastewater system is not malfunctioning in accordance with 15A NCAC 18E .1303(a)(2), but non-compliant with the performance standards in the operation permit or the authorization to operate. Requires CPH to adopt a rule to amend the Local Health Department Responsibilities for Wastewater System Operation and Maintenance Rule consistent with this provision.

Section 4.41

Requires that 15A NCAC 18E .1306, the System Malfunction and Repair Rule, be implemented so that the rule identifies the responsibilities of the local health department and the owner when a system is malfunctioning, totally or partially destroyed, or otherwise determined to require repair, including authorizing use of best professional judgment by an authorized agent, Authorized On-Site Wastewater Evaluator, or Professional Engineer in certain instances. Requires CPH to adopt a rule to amend the System Malfunction and Repair Rule consistent with this provision.

Section 4.42

Requires that 15A NCAC 18E .1401, the Plans for Prefabricated Tanks Rule, be implemented so that no documentation of proof of design for a tank is required prior to approval of the tank by DHHS. Requires CPH to adopt a rule to amend the Plans for Prefabricated Tanks Rule consistent with this provision.

Section 4.43

Requires that 15A NCAC 18E .1402, the Tank Design and Construction Rule, be implemented so the location of the tank is not required to be visible at finished grade when the top of the septic tank or access riser is below the finished grade. Requires CPH to adopt a rule to amend the Tank Design and Construction Rule consistent with this provision.

Section 4.44

Requires that 15A NCAC 18E .1403, the Tank Material Requirements Rule, be implemented so that reinforced precast concrete tanks must achieve a minimum 28-day compressive strength of 4,000 pounds per square inch. Directs that the concrete must meet a compressive strength of 3,500 pounds per square inch prior to removal of the tank from the place of manufacture. Provides for requirements on certification of above conditions, testing to verify certifications of conditions, reporting of test readings, and rebound hammers. Requires CPH to adopt a rule to amend the Tank Material Requirements Rule consistent with this provision.

Section 4.45

Requires that 15A NCAC 18E .1404, the Plans and Specifications for Risers, Effluent Filters, and Pipe Penetration Boots Rule, be implemented so that certain provisions of the rule apply to effluent filters, or pipe penetration boots made from plastic or fiberglass. Provides requirements for load withstanding minimums and concrete risers. Requires CPH to adopt a rule to amend the Plans and Specifications for Risers, Effluent Filters, and Pipe Penetration Boots Rule consistent with this provision.

Section 4.46

Requires that 15A NCAC 18E .1405, the Risers, Effluent Filters, and Pipe Penetration Boots Approval Renewal Rule, be implemented so that the rule only applies to risers, effluent filters, or pipe penetration boots made from plastic or fiberglass.

Requires CPH to adopt a rule to amend the Risers, Effluent Filters, and Pipe Penetration Boots Approval Renewal Rule consistent with this provision.

Section 4.47

Requires that 15A NCAC 18E .1713, the Local Health Department Responsibilities Rule, be implemented so that local health department not be required to include in its monthly activity reports to DHHS the number of new system operations permits for Provisional, Innovative, or Accepted systems, the number of construction authorizations issued for Provisional systems, including system type, for repairs of Provisional, Innovative, Accepted systems, including system type being repaired, or repairs of Accepted systems, including system type being repaired, or repair system type. Requires CPH to adopt a rule to amend the Local Health Department Responsibilities Rule consistent with this provision.

Section 4.48

Adds new GS 143-214.7D (limitations upon built-upon areas). Defines built-upon area to mean impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. For purposes of implementing State or local government stormwater programs, lists six surfaces that are not built-upon areas or an impervious or partially impervious surface, including certain decks, water areas of a swimming pool, certain types of stones, certain landscaping material, and artificial turf. Allows owners or developers of property to opt out any of those exemptions. Prevents local governments from enacting, implementing, or enforcing an ordinance, comprehensive plan, or stormwater plan that establishes a definition of built-upon area or impervious surface that does not comply with the provisions set forth above, unless it is required by federal law to do so. Authorizes the EMC to enact implementing rules. Requires local governments operating a stormwater system to update its program to be consistent with the statute.

Makes conforming changes to GS 143-214.7(b2) (pertaining to “built-upon areas” as part of stormwater programs).

Part V.

Section 5.1

Amends GS 143-136(membership of the Building Code Council [BCC]) to change its membership from 17 members appointed by the Governor, to 13 specified members, with six members appointed by the NCGA, upon the recommendation of the Speaker of the House or President Pro Tempore of the Senate and the other seven members appointed by the Governor, subject to confirmation by the NCGA. Specifies that 1/3 of the NCGA appointees on recommendation of the House Speaker and Senate President Pro Tempore will serve a two-year term, another 1/3 will serve a four-year term, and the final third will serve a six-year term. Specifies that two of the Governor’s appointees will each serve a four-year term (currently, three appointees serve four-year term) and two of the Governor’s appointees will serve six-year terms (currently, three of the Governor’s appointees serve six-year terms). Removes the Governor’s removal power and ability to appoint vacancies. Creates vacancy processes for vacancies created by NCGA appointees and by gubernatorial appointees. Provides for a process for gubernatorial appointees.

Disbands the Building Code Committee and makes conforming changes. Removes requirement that BCC meet upon the call of the chair.

Specifies that nine BCC members constitute a quorum for the transaction of business under GS 143-137 (currently, seven members constitute a quorum). Requires an affirmative vote of nine members present to approve any action of the BCC, including any code amendments. Prevents members from voting by proxy. Makes conforming changes to account to scope of code review under GS 143-138(a).

Makes language gender neutral. Removes outdated language. Makes technical and conforming changes. Provides for an initial schedule of appointments effective January 1, 2025.

Effective January 1, 2025.

Section 5.2

Amends GS 143-136.1 (pertaining to the Residential Code Council [RCC]) as follows. Provides for a process for gubernatorial appointees. Specifies that the RCC oversees revision of the NC Residential Code. Makes conforming changes to account to scope of code review under GS 143-138(a). Makes technical changes.

Makes technical changes to GS 143-137.1 (pertaining to organization of the RCC). Makes conforming changes to account to scope of code review under GS 143-138(a).

Amends GS 143-138 to set forth the scope of code review for the BCC and the RCC. Specifies that the BCC may oversee state building code provisions applicable to commercial or multi-family construction and that are listed as one through nine in the statute and the RCC will oversee state building code provisions applicable to residential construction and that are listed as one through ten of the statute. Makes clarifying, conforming, and technical changes.

Requires the RCC, in reviewing the relevant provisions of the State Building Code, to include relevant provisions from the NC Administrative Code and Policies volume.

Makes technical change to GS 143-139 (pertaining to the enforcement of the Building Code), GS 130A-248 (regulation of food and lodging establishments); GS 143-151.13 (required standards and certificates for code-enforcement officials); GS 143-151.14 (comity); GS 143-151.17 (grounds for disciplinary action-NC Code Officials Qualifications Board); GS 153A-123 (county enforcement of ordinances); GS 58-78A-16 (inspections of State property by State Fire Marshal); and GS 160A-175 (enforcement of ordinances). Makes clarifying and technical changes to GS 143-140 (hearings before code enforcement agencies under the Building Code); and GS 143-151.8 (definitions provisions of the NC Code Officials Qualifications Board), which adds in references to the Residential Code Council. Makes conforming change to GS 87-10 (applications for licensure - general contractors); GS 58-6-25 (insurance regulatory charges); GS 58-78A-1 (office of the State Fire Marshal); GS 150B-21.5 (circumstances when notice and rulemaking hearing are not required); GS 150B-21.21 (publication of rules of exempt agencies including the BCC and now, the RCC); GS 150B-38 (scope of article).

Effective January 1, 2025.

Part VI.

Section 6.1

Effective August 1, 2025, and applicable only to cities within Moore County, amends the following statutory provisions. Amends GS 160D-201 by limiting a city within Moore County's exercise of powers granted by GS Chapter 160D to within the city's corporate limits, no longer including extraterritorial areas. Amends the following by removing provisions related to extraterritorial jurisdiction and areas: GS 160D-202 (municipal extraterritorial jurisdiction), GS 160D-602 (notice of hearing on proposed zoning map amendments), GS 160D-903 (agricultural uses), GS 160D-912 (outdoor advertising), GS 160D-925(e) (repeal provisions related to barring EMC from requiring certain measures pertaining to stormwater control), GS 160D-1125 (enforcement), and GS 113A-208 (regulation of mountain ridge construction by counties and cities).

Repeals GS 160D-307, extraterritorial representation on boards.

Repeals any provision in a local act granting a city in Moore County the power to exercise extraterritorial planning jurisdiction under Article 19 (Planning and Regulation of Development) of GS Chapter 160A, or its successor, GS Chapter 160D.

Amends GS 130A-317(d) and GS 143-215.1(f) by adding defined term extraterritorial jurisdiction, which means the boundaries of the area over which a municipality was exercising extraterritorial planning jurisdiction under Article 19 or its successor GS Chapter 160D before the municipality's relinquishment of extraterritorial planning jurisdiction over the area, and specifies that this relinquishment is in accordance with the law.

Removes references to "extraterritorial jurisdiction" in GS 136-55.1 (notice of abandonment of roads), GS 136-63 (change or abandonment of roads), GS 136-66.3 (local government participation in improvements to the State transportation system), GS 143-138 (North Carolina State Building Code), GS 153A-317.14 (extension of economic development and training districts), GS 160A-176.1 and GS 160A-176.2 (ordinances effective in Atlantic Ocean), GS 160A-296 (establishment and control of streets), and GS 160A-299 (procedure for permanently closing streets and alleys).

Makes conforming changes.

Section 6.2

Prevents any city within Moore County from expanding its extraterritorial jurisdiction beyond the territory that the city was exercising extraterritorial jurisdiction authority upon as of June 1, 2024.

Section 6.3

Provides that, notwithstanding GS 160D-202(h), the relinquishment of jurisdiction over an area that a city, within Moore County, is regulating under the authority of extraterritorial planning jurisdiction under Article 19 of GS Chapter 160A, or its successor GS Chapter 160D, will be determined by Moore County, not the city which has been exercising extraterritorial jurisdiction over the area.

Specifies that the act should not be construed as preventing a city within Moore County from relinquishing jurisdiction over an area prior to August 1, 2025, so long as the city complies with the provisions of Article 19 of GS Chapter 160A, or its successor Chapter GS 160D. Sets forth rules pertaining to enforceable law upon relinquishment of jurisdiction that a city in Moore County is regulating under the authority of extraterritorial planning under Article 19 of GS Chapter 160A, or its successor Chapter GS 160D. Provides for notice to county by cities within Moore County to be provided at least 180 days before August 1, 2025.

Section 6.4

Specifies that the above Sections 6.1 through 6.3 have no effect on the extraterritorial jurisdiction of law enforcement officers as authorized by any of the following: (1) GS Chapter 77 (rivers, creeks, and coastal waters); (2) GS 15A-402 (territorial jurisdiction of officers to make arrest); (3) GS 20-38.2 (pertaining to certain vehicle investigations by law enforcement); (4) GS 160A-286 (extraterritorial jurisdiction of police); or (5) Any local act or provision of general law.

Part VII.

Section 7.1

Contains severability clause.

Intro. by Krawiec, Jarvis, Lowe.

Moore, GS 58, GS 83A, GS 87, GS 89F, GS 90A, GS 113A, GS 130A, GS 136, GS 143, GS 150B, GS 153A, GS 160A, GS 160D

[View summary](#)

Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Property and Housing, Environment, Government, APA/Rule Making, State Agencies, Department of Health and Human Services, Department of Transportation, Local Government, Health and Human Services, Health, Public Health

S 508 (2023-2024) [2023 BUDGET TECH/OTHER CORRECTIONS. \(NEW\)](#) Filed Apr 3 2023, *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023 AND TO OTHER LEGISLATION.*

The conference report to the 3rd edition is to be summarized.

Intro. by Hise.

APPROP, GS 20, GS 113A, GS 115C, GS 116, GS 126, GS 130A, GS 131E, GS 143, GS 159

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Courts/Judiciary, Court System, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Higher Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Ethics and Lobbying, Public Safety and Emergency Management, State Agencies, Department of Adult Correction, Department of Environmental Quality

S 785 (2023-2024) [ZERO-BASED BUDGETING](#). Filed May 1 2024, *AN ACT TO REQUIRE THE USE OF ZERO-BASED BUDGETING FOR STATE AGENCIES ON A ROTATING BASIS*.

Enacts new GS 143C-3-3.1 (zero-based budgeting estimates) providing, as follows. Defines *zero-based budget* as a budget that reflects the amount of funding deemed necessary to achieve the most cost-effective performance of a State agency pursuant to an accompanying narrative delineating the tasks to be performed by the State agency together with the goals and objectives for the State agency for a period not to exceed two years. The budget must have a zero dollar amount as its basis and cannot not reflect any prior appropriation amount, adjusted or otherwise. Starting with the fiscal year beginning July 1, 2024, and each even-numbered year thereafter, requires that each State agency of the executive branch designated in a scheduled year prepare and submit to the Office of State Budget and Management (OSBM) a zero-budget plan for the fiscal biennium beginning July 1 of the following fiscal year. Sets forth a submission schedule that divides agencies or specified agency divisions into four groups with submission dates of 2024, 2026, 2028, and 2030 respectively, with subsequent submissions every eight years after each initial submission date. Lists six required pieces of information that each agency's zero-budget plan must contain, including descriptions and justifications for agency activities; quantifiable program outcomes; an accounting of expenditures required to maintain the activity at minimum levels of service/current levels of service and adverse impacts for each activity; and a ranking of all activities. Excludes statutory appropriations under GS 143C-1-1(d) from zero-based budgeting plans.

Intro. by Burgin.

[GS 143C](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Office of State Budget and Management](#)

S 786 (2023-2024) [ADD PSYCHIATRIC HOSPITALS TO MEDICAID HASP](#). Filed May 1 2024, *AN ACT TO INCLUDE FREESTANDING PSYCHIATRIC HOSPITALS AS HOSPITALS THAT ARE ELIGIBLE TO RECEIVE PAYMENTS UNDER THE MEDICAID HEALTHCARE ACCESS AND STABILIZATION PROGRAM AND TO PROVIDE FUNDING FOR THOSE PAYMENTS THROUGH INCREASED HOSPITAL ASSESSMENTS*.

Adds defined term, *freestanding psychiatric hospital* to GS 108A-145.3 (definitions provisions of the Hospital Assessment Act) and makes conforming and organizational changes. Amends GS 108A-148.1 (pertaining to the State's Healthcare Access and Stabilization Program [HASP]) so that the HASP must provide freestanding standing psychiatric hospitals within increased reimbursements funded through hospital assessment, so long as it is approved by CMS. Directs the Department of Health and Human Services (DHHS) to submit a 42 CFR 438.6(c) preprint requesting approval to include freestanding psychiatric hospitals in HASP.

Amends the definition of modernized HASP component in GS 108A-146.10 so that it is now an amount of money that is calculated each quarter by multiplying the aggregate amount of HASP directed payments due to PHPs in the current quarter for reimbursements to acute care hospitals (currently, just hospitals) that are not attributable to newly eligible individuals by the nonfederal share for not newly eligible individuals. Makes conforming changes, including to section title.

Adds new GS 108A-146.10A defining a modernized freestanding psychiatric hospital HASP component as an amount of money that is calculated each quarter by multiplying the aggregate amount of HASP directed payments due to PHPs in the current quarter for reimbursements to freestanding psychiatric hospitals that are not attributable to newly eligible individuals by the nonfederal share for not newly eligible individuals.

Adds new GS 108A-146.4 (freestanding psychiatric hospital modernized assessment), applicable to all freestanding psychiatric hospitals, directing that all such hospitals' modernized assessments be assessed a percentage of their costs, calculated quarterly by the Department of Health and Human Services [DHHS]. Specifies that the percentage for each quarter must equal the

modernized freestanding psychiatric hospital HASP component under G.S. 108A-146.10A divided by the total hospital costs for all freestanding psychiatric hospitals holding a license on the first day of the assessment quarter.

Amends GS 108A-146.5 (aggregate acute care hospital modernized assessment collection amount) to define the aggregate acute care hospital modernized assessment amount as an amount of money equal to the aggregate modernized assessment collection amount under GS 108A-146.5(a) minus the modernized freestanding psychiatric hospital HASP component under GS 108A-146.10A. Adds the freestanding psychiatric hospital HASP as one of the total modernized nonfederal receipts under the statute. Makes conforming changes.

Amends the formulas set forth in GS 108A-146.13(c) (pertaining to modernized presumptive IGT [intergovernmental transfer] adjustment components) to account for new GS 108A-146.10A (free standing psychiatric hospital HASP components) and acute care hospital HASPS.

Adds new GS 108A-147.6A (pertaining to health advancement freestanding psychiatric hospital HASP components), defining a health advancement freestanding psychiatric hospital HASP component is an amount of money that is calculated by multiplying the aggregate amount of HASP directed payments due to PHPs in the current quarter for reimbursements to freestanding psychiatric hospitals attributable to newly eligible individuals by the nonfederal share for newly eligible individuals.

Adds new GS 108A-147.2A (freestanding psychiatric health advancement assessment) applicable to all freestanding psychiatric hospitals, directing that all such hospitals' freestanding psychiatric hospital health advancement assessment be assessed as a percentage of each freestanding psychiatric hospital's hospital costs. Directs that the assessment percentage be calculated quarterly by DHHS in accordance with the statute. Directs that the percentage for each quarter equals the health advancement freestanding psychiatric hospital HASP component calculated under GS 108A-147.6A divided by the total hospital costs for all freestanding psychiatric hospitals holding a license on the first day of the assessment quarter.

Amends GS 108A-147.3 (pertaining to aggregate acute care hospital health advancement assessment collection amount) as follows. Adds the health advancement freestanding psychiatric hospital HASP as one of the total nonfederal receipts for health advancement under the statute. Defines the aggregate acute care hospital health advancement assessment collection amount as an amount of money equal to the aggregate health advancement assessment collection amount under subsection (a) of GS 108A-147.3 minus the health advancement freestanding psychiatric hospital HASP component under GS 108A-147.6A. Makes conforming change.

Amends GS 108A-147.5(d)(5) (potential bases of the presumptive cost components) so that the formula is now the amount produced from multiplying 1.15 by the highest amount produced when calculating, for each quarter that is at least two and not more than five quarters prior to the current quarter, the actual nonfederal expenditures for the applicable quarter minus the health advancement acute care hospital HASP component calculated under GS 108A-147.6 for the applicable quarter and minus the health advancement freestanding psychiatric hospital HASP component calculated under GS 108A-147.6A for the applicable quarter (currently no reference to health advancement freestanding psychiatric hospital HASP component). Makes conforming changes.

Adds another prong, the health advancement freestanding psychiatric hospital HASP component calculated under GS 108A-147.6A for the quarter that is two quarters prior to the current quarter, to the list elements that should be subtracted to specified actual nonfederal expenses to obtain the health advancement reconciliation under GS 108A-147.11(a). Makes conforming changes.

Makes conforming changes to GS 108A-146.1 (public hospital modernized assessments); GS 108A-146.3 (private hospital modernized assessments); GS 108A-147.1 (public hospital health advancement assessments); GS 108A-147.2 (private hospital health advancement assessments); GS 108A-147.6 (health advancement acute care hospital HASP component) to account for new acute care provisions.

Effective on the first day of the next assessment quarter after the date this act becomes law and applies to assessments imposed on or after that date.

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health

S 787 (2023-2024) **REDEFINE HOSPICE FACILITIES/LICENSURE & CON.** Filed May 1 2024, *AN ACT REDEFINING THE TERMS "HOSPICE INPATIENT FACILITY" AND "HOSPICE RESIDENTIAL CARE FACILITY" FOR PURPOSES OF THE HOSPITAL LICENSURE ACT AND CERTIFICATE OF NEED REVIEW; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO SUPPORT ENFORCEMENT OF STATE LICENSURE AND CERTIFICATE OF NEED LAWS PERTAINING TO THESE FACILITIES.*

Expands the defined terms *hospice inpatient facility* and *hospice residential care facility* in GS 131E-201, GS 131E-176, and GS 131-176 (appears to intend GS 131E-176), which set forth defined terms applicable to Articles 9 and 10 of GS Chapter 131E (*Hospice Licensure Act; Certificates of Need*), to include facilities that provide health services to patients aged 20 or younger diagnosed with limited life expectancy. Makes technical changes.

Appropriates \$50,000 in recurring funds from the General Fund to the Department of Health and Human Services, Division of Health Service Regulation, for 2024-25 to be allocated and used to support enforcement of State licensure and certificate of need laws pertaining to hospice inpatient facilities and hospice residential care facilities, as now defined. Effective July 1, 2024.

Intro. by Hise.

APPROP, GS 131E

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

S 788 (2023-2024) **PROHIBIT PROP BETS ON COLLEGE/AMATEUR SPORTS.** Filed May 1 2024, *AN ACT TO PROHIBIT PROPOSITION WAGERS ON COLLEGE AND AMATEUR SPORTS AND TO PROHIBIT IN-PERSON SPORTS WAGERS AT A SPORTS FACILITY HOSTING A COLLEGE SPORTS EVENT BEFORE AND DURING THE EVENT.*

Adds *proposition wager* (a wager on an individual action, statistic, occurrence, or nonoccurrence to be determined during a sporting event and includes any such action, statistic, occurrence, or nonoccurrence that does not directly affect the final outcome of the sporting event to which it relates) to the definitions provision pertaining to sports wagering (GS 18C-901).

Adds proposition wagering on amateur sports or college sports to the types acts that are not authorized by the sports wagering article of GS Chapter 18C. Expands the provisions pertaining to places of public accommodation for sports wagering under GS 18C-926 by prohibiting sports facilities from being open to registered players for placing sports wagers during the eight hours before or during any college sports events at the sports facility or adjacent to the sports facility. Effective July 1, 2024.

Intro. by Mayfield.

GS 18C

[View summary](#)

Lottery and Gaming

S 789 (2023-2024) **NC HEALTH BENEFITS EXCHANGE IMPLEMENTATION.** Filed May 1 2024, *AN ACT AUTHORIZING THE COMMISSIONER OF INSURANCE TO ESTABLISH AND OPERATE A STATE-RUN HEALTH BENEFITS EXCHANGE.*

Makes organizational changes to GS 58-2-40, which lists the duties of the Commissioner of Insurance (Commissioner), including recodifying subdivision (2) as new subsection (b). Enacts a new subsection (c) to require the Commissioner to establish a State-run Health Benefits Exchange (Exchange) pursuant to the federal Patient Protection and Affordable Care Act, PL 111-148 as amended, or other applicable federal laws and regulations. Grants the Commissioner authorities related to the

creation, implementation, and operation of the Exchange, including making program, rule or policy changes; applying for and accepting federal moneys; and creating advisory boards or committees.

Amends GS 143B-24, eliminating provisions which condition State interaction with the federally-facilitated Health Benefit Exchange upon legislative authorization.

Appropriates \$100,000 in recurring funds from the General Fund to the Department of Insurance for 2024-25 to establish and operate a State-run Health Benefits Exchange pursuant to GS 58-2-40, as amended. Effective July 1, 2024.

Intro. by Hise.

[APPROP, GS 58, GS 143B](#)

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Insurance, Health and Human Services,
Health, Health Insurance**

S 790 (2023-2024) [STATE BAR REVIEW COMMITTEE RECOMMENDATIONS](#). Filed May 1 2024, *AN ACT TO IMPLEMENT A VEXATIOUS CONDUCT STANDARD FOR COMPLAINANTS FILING GRIEVANCES BEFORE THE NORTH CAROLINA STATE BAR, TO DEFINE A STANDING REQUIREMENT FOR THE FILING OF GRIEVANCES, TO DIRECT THE NORTH CAROLINA STATE BAR TO ADOPT RULES TO IMPLEMENT AN EXPUNGEMENT PROCESS FOR CERTAIN DISCIPLINARY ACTIONS, AND TO DIRECT THE NORTH CAROLINA STATE BAR TO ADOPT RULES TO IMPLEMENT THIS ACT, AS RECOMMENDED BY THE STATE BAR REVIEW COMMITTEE.*

Amends GS 84-28 to require the North Carolina State Bar (Bar) to include in any notice of alleged attorney misconduct served upon a respondent attorney a copy of the complaint, all non-privileged and non-work product material, financial audits, and exculpatory evidence presented to the Grievance Committee (Committee). Requires work product of the Bar that contains exculpatory evidence be provided to the respondent attorney. Provides for certification that the Bar does not possess exculpatory evidence if applicable. Requires the Bar provide the respondent attorney an opportunity to address the Grievance Committee at the initial probable cause hearing and to hear the Office of Counsel's (Office) presentation of the case to the Committee.

Enacts GS 84-28.3, authorizing the Office and Committee to designate a person as a vexatious complainant and decline to review and process subsequent grievances from a person so designated unless the grievance is submitted (1) with verification signed by the complainant that the alleged misconduct is true under penalty of perjury and (2) by another active member of the Bar not current disciplinary respondent; if the vexatious complainant is licensed by the Bar, grievances must be submitted by an active member not currently a disciplinary respondent and who is not also designated as a vexatious complainant. Authorizes designation as a vexatious complainant if the person has initiated grievances alleging attorney misconduct which would fail to constitute a violation of the Rules of Professional Conduct if proven, or if available evidence conclusively disproves the allegations, in a manner and volume that amounts to an abuse of the bar disciplinary process, as defined. Provides for notice of the designation and a procedure for review of the designation before the Disciplinary Hearing Commission. Deems a designation by the Bar final and conclusive and not subject to review or reversal except by the Bar itself.

Enacts GS 84.28.4, establishing standing required to file a grievance with the Bar. Requires that the grievance allege conduct that would constitute attorney misconduct by violation of GS Chapter 84 or the Rules of Professional Conduct if true. Limits persons who may file grievances to seven categories of individuals, including attorneys and judges under professional obligation to report misconduct; judges, attorneys, court staff or jurors in the subject legal matter; a family member of a ward in a subject guardianship proceeding or of a decedent in a subject probate matter; a trustee or executor of a subject trust, estate, or bankruptcy matter; or a person who has a cognizable individual interest in or connection to the legal matter or facts alleged. Specifies that the Bar has authority to open and investigate grievances upon its own initiative if facts alleging attorney misconduct are discovered by the Bar.

Authorizes the Bar to adopt rules to implement these statutory changes. Makes the above provisions effective July 1, 2024.

Directs the Bar to adopt rules to implement an expungement process for certain disciplinary actions against respondent attorneys by the Bar, following recommendations by the State Bar Review Committee.

Intro. by Sawrey, Lee.

GS 84

[View summary](#)

**Business and Commerce, Occupational Licensing,
Courts/Judiciary, Court System**

S 791 (2023-2024) [STUDY & ABATE OCULAR MELANOMA/FUNDS](#). Filed May 1 2024, *AN ACT APPROPRIATING FUNDS TO STUDY AND ABATE OCULAR MELANOMA IN NORTHERN MECKLENBURG COUNTY*.

Appropriates \$200,000 in nonrecurring funds for 2024-25 from the General Fund to the UNC Board of Governors to be allocated to East Carolina University to study the potential causes of and solutions for abating ocular melanoma in the towns of Huntersville and Cornelius and the surrounding area. Requires coordination with the North Carolina Collaboratory in conducting the study and requires employing the specified strategies recommended by the North Carolina Policy Collaboratory. Requires a report on the results of the study to the specified NCGA committees on or before December 1, 2025. Effective July 1, 2024.

Intro. by Marcus.

APPROP, STUDY

[View summary](#)

**Education, Higher Education, Government,
Budget/Appropriations, State Agencies, UNC System, Health
and Human Services, Health**

S 792 (2023-2024) [CREATE PUBLIC APP. FOR REPORTING THREATS](#). Filed May 1 2024, *AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP AN OPERATIONAL PLAN TO CREATE A DIGITAL APPLICATION TO REPORT THREATS AND TO APPROPRIATE FUNDS*.

Requires the Department of Public Safety (DPS), in consultation with Department of Information Technology (DIT) and the State Bureau of Investigation (SBI) to develop an operational plan for the creation of a digital public safety application that does, at minimum, each of the following: (1) allows any member of the public to quickly and anonymously report information regarding threats to public safety; (2) communicates with existing applications and initiatives designed to protect public safety; (3) communicates with State and local law enforcement agencies regarding reported threats deemed to be credible.

Appropriates \$100,000 from the General Fund to DPS in nonrecurring funds for the 2024-2025 fiscal year to be used to develop the plan. Requires DPS to report the plan to the specified NCGA committee by no later than April 1, 2025.

Effective July 1, 2024.

Intro. by Marcus.

APPROP

[View summary](#)

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

LOCAL/HOUSE BILLS

H 956 (2023-2024) [TOWN OF PINEVILLE/COMPENSATE AUXILIARY POLICE](#). Filed May 1 2024, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINEVILLE TO AUTHORIZE THE TOWN TO COMPENSATE MEMBERS OF THE AUXILIARY POLICE DIVISION FOR THEIR SERVICES WHEN CALLED INTO ACTIVE DUTY*.

Amends the Town of Pineville's Town Charter, SL 1965-296, by allowing the town's auxiliary police division to be compensated by the town council, or a person they delegate the authority to, any time they are called into active duty. Requires the town council to fix the compensation amount.

Intro. by T. Brown, Harris, Budd.

[Mecklenburg](#)

[View summary](#)

[Government, Public Safety and Emergency Management](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REQUIRE SHERIFFS TO COOPERATE WITH ICE.

Senate: Reptd Fav

H 426: VARIOUS ENVIRONMENTAL AMENDMENTS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 593: RESTRICT TRUCK LENGTH THROUGH CULLASAJA GORGE.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 823: ELIMINATE SCHOOL CHOICE WAITLISTS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 919: PICKLEBALL WELLNESS INITIATIVE: HEALTH EQUITY.

House: Passed 1st Reading

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

H 920: FUNDS FOR TRANSYLVANIA FIRE DEPT. SIGNAL.

House: Passed 1st Reading

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

H 921: MODIFY MILEAGE AND PER DIEM.

House: Passed 1st Reading

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

H 922: MARINE LIFE PROTECTION ACT.

House: Passed 1st Reading

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

H 923: RIGHTS OF NATURE/DAN RIVER.

House: Passed 1st Reading

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

H 924: ENABLE CERTAIN CHARTER SCHOOLS TO ELECT SHP.

House: Passed 1st Reading

House: Ref to the Com on Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House

H 925: CREATE DEPT. OF HOUSING AND COMM. DEVELOPMENT.

House: Passed 1st Reading

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

H 926: HARRISBURG PASSENGER RAIL STATION FUNDS.

House: Passed 1st Reading

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

H 927: BODY CAMERAS/CLOUD STORAGE FOR STATE TROOPERS.

House: Passed 1st Reading

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

H 928: NC STATE HIGHWAY PATROL RETENTION ACT.

House: Passed 1st Reading

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

H 929: HIGHWAY SAFETY OMNIBUS/ADDIT'L MAGISTRATES.

House: Passed 1st Reading

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

H 930: COLA/STATE & LOCAL RETIREES/FUNDS.

House: Passed 1st Reading

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

H 932: FUNDS FOR HIGHWAY PATROL FUEL STATION UPGRADE.

House: Passed 1st Reading

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

H 933: FUND BULLETPROOF GLASS IN STATE LEO VEHICLES.

House: Passed 1st Reading

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

H 934: MAKE STATE EMPLOYMENT GREAT AGAIN.

House: Passed 1st Reading

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

H 935: REORGANIZE & FUND RARE DISEASE ADV. COUNCIL.

House: Passed 1st Reading

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

H 936: FUNDS/LEWISVILLE'S SHALLOWFORD SQUARE AREA.

House: Passed 1st Reading

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

H 937: FUNDS FOR TOBACCOVILLE PARK.

House: Passed 1st Reading

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

H 938: GSC MORAL TURPITUDE/OCCUPATIONAL LICENSURE.

House: Passed 1st Reading

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

H 939: ACCESS TO TRANSCRANIAL MAGNETIC STIMULATION.

House: Passed 1st Reading

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

H 940: SCHOOL-BASED MENTAL HEALTH SERVICE STUDY.

House: Passed 1st Reading

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

H 941: BUNCOMBE SCHOOLS CONSOLIDATION STUDY/FUNDS.

House: Passed 1st Reading

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

H 948: FUNDING VOCATIONAL REHABILITATION.

House: Filed

H 949: COASTAL PLAIN RESILIENCE AND ECO. PROS. ACT.

House: Filed

H 950: FOSTER CARE SERVICES/FUNDS.

House: Filed

H 951: FUNDS FOR CW WILLIAMS COMMUNITY HEALTH CENTER.

House: Filed

H 952: SUPPORTING LAW ENFORCEMENT.

House: Filed

H 953: COMMUNITY SAFETY ACT.

House: Filed

H 954: COMMUNITY HEALTH CENTER GRANTS FOR LARCS.

House: Filed

H 955: FUNDS FOR DISCOVERY PLACE REGIONAL MUSEUM.

House: Filed

H 957: HOME WARRANTY REGULATORY REFORM.

House: Filed

H 958: WORKERS RIGHTS ACT.

House: Filed

H 959: VARIOUS CHANGES TO HOMEOWNERS' ASSOC. LAWS.

House: Filed

H 960: SOUND BASIC EDUCATION FOR EVERY CHILD.

House: Filed

H 961: STUDY STATE EMPLOYEE BEREAVEMENT LEAVE/FUNDS.

House: Filed

H 962: GOVERNOR'S BUDGET.

House: Filed

H 963: AGGIE ACADEMY LEARNING LAB/FUNDS.

House: Filed

H 964: FUNDS FOR CHARLOTTE MECKLENBURG LIBRARY.

House: Filed

H 965: UNC INTRASTATE ATHLETIC COMPETITION.

House: Filed

H 966: EXPEDITED REMOVAL OF UNAUTHORIZED PERSONS.

House: Filed

H 967: PROHIBIT PROP BETS ON COLLEGE/AMATEUR SPORTS.

House: Filed

H 968: INCREASE PUNISHMENT FOR FAILURE TO YIELD.

House: Filed

H 969: STATEWIDE COMMUTER RAIL STUDY.

House: Filed

H 970: STATE RECOGNITION FOR THE TUSCARORA/FUNDS.

House: Filed

H 971: HOTEL OPERATION AND PERSONNEL EDUCATION ACT.

House: Filed

H 972: NCVETS TUITION SUPPLEMENT PROGRAM.

House: Filed

H 973: BAN PFAS IN FOOD PACKAGING.

House: Filed

H 974: SPCL ECONOMIC DEVELOPMENT FUND FOR AIRPORTS.

House: Filed

H 975: SPCL ECONOMIC DEVELOPMENT FUND FOR RAIL.

House: Filed

H 976: WORKFORCE DEVELOPMENT PROGRAM.

House: Filed

H 977: CRISIS PREGNANCY CENTER ACCOUNTABILITY STUDY.

House: Filed

S 166: 2024 BLDG. CODE REGULATORY REFORM. (NEW)

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

S 508: 2023 BUDGET TECH/OTHER CORRECTIONS. (NEW)

Senate: Failed Concur In H Com Sub

Senate: Conf Com Appointed

House: Conf Com Appointed

Senate: Conf Com Reported

Senate: Placed On Cal For 05/02/2024

House: Conf Report Adopted

House: Added to Calendar
House: Conf Report Adopted

S 768: CONFIRM JOEY R. HOPKINS/SEC. OF DOT.

Senate: Reptd Fav
Senate: Re-ref Com On Select Committee on Nominations

S 779: MISD. DOMESTIC VIOLENCE/PROHIBIT FIREARMS.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 780: FAYETTEVILLE PWC/WATER AND WASTEWATER FUNDS.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 781: FUNDS FOR FAYETTEVILLE PUBLIC SAFETY NEEDS.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 782: FUNDS FOR C.W. WILLIAMS COMMUNITY HEALTH CTR.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 783: FUNDS FOR TOWN OF HOPE MILLS.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 785: ZERO-BASED BUDGETING.

Senate: Filed

S 786: ADD PSYCHIATRIC HOSPITALS TO MEDICAID HASP.

Senate: Filed

S 787: REDEFINE HOSPICE FACILITIES/LICENSURE & AMP CON.

Senate: Filed

S 788: PROHIBIT PROP BETS ON COLLEGE/AMATEUR SPORTS.

Senate: Filed

S 789: NC HEALTH BENEFITS EXCHANGE IMPLEMENTATION.

Senate: Filed

S 790: STATE BAR REVIEW COMMITTEE RECOMMENDATIONS.

Senate: Filed

S 791: STUDY & ABATE OCULAR MELANOMA/FUNDS.

Senate: Filed

S 792: CREATE PUBLIC APP. FOR REPORTING THREATS.

Senate: Filed

LOCAL BILLS

H 5: LOCAL CHANGES OMNIBUS. (NEW)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 05/09/2024

H 931: TOWN OF NEWPORT/DEANNEXATION.

House: Passed 1st Reading

House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 956: TOWN OF PINEVILLE/COMPENSATE AUXILIARY POLICE.

House: Filed

S 764: COMM. COLL. TRUSTEE TERMS/REGION 4.

Senate: Reptd Fav

S 769: COMM. COLL. TRUSTEE TERMS/REGION 1.

Senate: Reptd Fav

S 772: COMM. COLL. TRUSTEE TERMS/REGION 3.

Senate: Reptd Fav

S 776: COMM. COLL. TRUSTEE TERMS/REGION 2.

Senate: Reptd Fav

S 784: CURRITUCK COUNTY/EMINENT DOMAIN.

Senate: Passed 1st Reading

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

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