

The Daily Bulletin: 2024-05-03

PUBLIC/HOUSE BILLS

H 998 (2023-2024) BLUE RIBBON TASK FORCE/SEWER INFRASTRUCTURE. Filed May 2 2024, AN ACT TO ESTABLISH THE BLUE RIBBON TASK FORCE ON WASTEWATER INFRASTRUCTURE DEVELOPMENT IN NORTH CAROLINA.

Identical to S 858, filed 5/2/24.

Includes whereas clauses.

Establishes an 18-member Blue Ribbon Task Force on Wastewater Infrastructure Development in North Carolina (Task Force), to (1) review and assess the current state of wastewater infrastructure in the State; (2) develop strategies and plans for the effective implementation of wastewater treatment projects, for addressing existing challenges and barriers to project financing and construction, and for addressing future needs within the State; and (3) to identify funding mechanisms, including potential contributions from industrial wastewater discharges, to support wastewater infrastructure development. Sets out membership requirements and appointing authority; co-chair appointment process; meeting requirements; staffing requirements; and provisions for per diem, subsistence, and travel allowances.

Requires the Task Force to consult with the Department of Commerce, Economic Development Partnership of North Carolina, Utilities Commission, and Golden LEAF Foundation.

Authorizes Task Force meetings to begin on or after July 1, 2024. Requires a final report on the study to the specified NCGA committee by December 1, 2026. Terminates the Task Force upon the earlier of December 1, 2026, or the filing of the final report.

Appropriates \$10,000 in recurring funds for 2024-25 from the General Fund to support the Task Force.

Intro. by Everitt.

APPROP, STUDY

View summary

Economic Development, Government, Budget/Appropriations,

State Agencies, Department of Commerce, Public Enterprises

Development, Land Use and Housing, Community and

and Utilities

H 1001 (2023-2024) RIGHT TO USE CONTRACEPTION ACT. Filed May 2 2024, AN ACT PROTECTING THE RIGHT TO USE CONTRACEPTION AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT THE MEDICAID FAMILY PLANNING PROGRAM.

Identical to S 808, filed 5/2/24.

Adds new Article 1O, Right to Use Contraception, in GS Chapter 90, providing as follows.

Sets out State policy that the State has no legitimate governmental interest in limiting the freedom to use contraception to prevent pregnancy.

Defines contraception, contraceptive, and health care provider. Gives a person the right to obtain contraceptives and engage in contraception; gives a health care provider the right to provide contraception and contraception-related information. Requires that to defend against a claim that a law, regulation, or policy violates a health care provider's or patient's statutory rights, a party must establish, by clear and convincing evidence either: (1) that the law, regulation, or policy advances the safety of contraceptives, contraception, and contraception-related information and the safety of contraceptives, contraception, and

contraception-related information or the health of patients cannot be advanced by a less restrictive alternative measure or action or (2) the law, regulation, or policy that is being applied to contraception is also being applied to other medically similar drugs, devices, or biological products.

Prohibits the State or any city or county from administering, implementing, or enforcing any law, rule, regulation, standard, or other provision having the force and effect of law in a manner that: (1) prohibits or restricts the sale, provision, or use of any contraceptives approved by the US Food and Drug Administration for contraceptive purposes; (2) prohibits or restricts any person from aiding another person in obtaining any contraceptives approved by the US Food and Drug Administration or utilizing any contraceptive methods; or (3) exempts any contraceptives approved by the US Food and Drug Administration from any other generally applicable law in a way that would make it more difficult to sell, provide, obtain, or use those contraceptives or contraceptive methods.

Allows the Attorney General to commence a civil action on behalf of the State for any violations. Allows an individual or entity adversely affected by a violation to commence a civil action. Allows health care providers to commence an action on their own behalf, on behalf of their staff, and on behalf of their patients. Requires the court to set aside any violating law, rule, regulation, standard, or provision. Allows the court to award appropriate equitable relief, including injunctive relief.

Appropriates \$3 million for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Health Benefits, to expand education programs related to the NC Medicaid Family Planning Program (aka "Be Smart"). Specifies that these funds provide a State match. Effective July 1, 2024.

Intro. by Prather, Staton-Williams, von Haefen, Everitt.

APPROP, GS 90

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 1004 (2023-2024) AI STUDY COMMITTEE/FUNDS. Filed May 2 2024, AN ACT ESTABLISHING THE ARTIFICIAL INTELLIGENCE STUDY COMMITTEE AND APPROPRIATING FUNDS FOR THAT PURPOSE.

Establishes the 24-member Artificial Intelligence Study Committee (Committee) tasked with studying artificial intelligence (AI) and its uses, including: (1) examination of how AI impacts State government, local governments, business, citizens, operations, and elections; (2) review of ways that AI can be used positively and negatively; (3) consideration of the long-term and short-term impacts of AI, as well as legal issues associated with the use of AI; (4) development of legislative proposals and law changes necessitated by AI; and (5) making recommendations to the executive branch.

Sets out requirements for membership qualifications and appointment and for filling vacancies. Also provides for selection of co-chairs, staffing, and a quorum. Sets membership terms to start on September 1, 2024. Requires beginning January 1, 2025, that terms be for 2 years, beginning on the convening of the NCGA in odd-numbered years. Sets out provisions governing service on the committee for legislative members.

Effective July 1, 2024, and expires June 30, 2029.

Appropriates \$100,000 for 2024-25 to the Department of Information Technology for the Study Committee and continued monitoring of artificial intelligence in State Government. Effective July 1, 2024.

Intro. by Rudow, Logan.

APPROP, STUDY

View summary

Government, Budget/Appropriations, State Agencies, Department of Information Technology H 1007 (2023-2024) REGIONAL PLANNING FUNDING. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO REGIONAL COUNCILS OF GOVERNMENT FOR LONG-TERM ECONOMIC DEVELOPMENT PLANNING.

Appropriates \$16 million from the General Fund to the Department of Commerce for 2024-25 to be allocated to the North Carolina Association of Regional Councils of Government, which must distribute the funds equally to the 16 regional councils of government, which must use the funds to develop a regional economic development plan. Requires NCARCOD to work with the Departments of Commerce and Environmental Quality in developing the criteria to evaluate and certify those plans. Sets out required content and processes for the plans, including due date. Effective July 1, 2024.

Intro. by Reives, Penny, Johnson, G. Brown.

APPROP

View summary

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Commerce, Department of Environmental Quality (formerly DENR), Local Government

H 1010 (2023-2024) MODERNIZE CERTAIN MEDICAID PROVIDER RATES. Filed May 2 2024, AN ACT TO MODERNIZE CERTAIN MEDICAID PROVIDER RATES.

Requires the Department of Health and Human Services, Division of Health Benefits (Division), to increase the Medicaid rates paid to physicians, physician assistants, certified nurse practitioners, specialty medical health care providers, and dental health providers, to be implemented as soon as practicable after July 1, 2024.

Appropriates \$395 million in recurring funds for 2024-25 from the General Fund to the Division to implement the increase. Specifies how the funds are to be used, including providing a state match of federal funds.

Specifies that no modifications to the Medicaid program will be required to be maintained after the end of the 2024-25 fiscal year.

Effective July 1, 2024.

Intro. by Reives, Lambeth, White, Cunningham.

APPROP

View summary

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

H 1013 (2023-2024) TEACHER LICENSE RECIPR. & AMP DMV ADD'L LANGUAGES. Filed May 2 2024, AN ACT TO PERMIT TEACHERS LICENSED IN FOREIGN COUNTRIES TO OBTAIN A CONTINUING PROFESSIONAL LICENSE AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO PROVIDE MATERIALS REQUIRED FOR LICENSURE IN ADDITIONAL LANGUAGES.

Part I.

Amends GS 115C-270.25, as amended, to allow granting a continuing professional license to a teacher licensed in a foreign county who has at least three years of teaching experience and is in good standing with the outside jurisdiction. Effective July 1, 2024, appropriates \$100,000 for 2024-25 from the General Fund to the Department of Public Instruction for administrative changes necessary to implement this provision and to advertise these new criteria.

Part II.

Amends GS 20-88.1 to require the Division of Motor Vehicles to make copies of the driver license handbook, when requested, available in nine specified languages, in addition to English. Amends GS 20-7 by adding the requirement that the Division of

Motor Vehicles provide an option for license applicants to (1) receive the driver license handbook prepared under GS 20-88.1 and (2) take the written test required for licensure in all of the 9 specified languages, in addition to English. Effective January 1, 2025.

Appropriates \$10,000 for 2024-25 from the Highway Fund to the Department of Transportation, Division of Motor Vehicles, to produce these materials. Effective July 1, 2024.

Intro. by Quick, Harrison, von Haefen, Liu.

APPROP, GS 20, GS 115C

View summary

Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Transportation, State Board of Education

H 1014 (2023-2024) SIXTH & NINTH GRADE ACADEMY PILOT/FUNDS. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A SIXTH AND NINTH GRADE ACADEMY PILOT PROGRAM.

Requires the Department of Public Instruction (DPI) to establish a Sixth and Ninth Grade Academy Pilot Program for up to 10 local school administrative units to establish sixth and ninth grade academy programs, with the purpose of providing comprehensive support for sixth and ninth grade students transitioning from elementary school to middle school and middle school to high school. Sets the length of the program at five years, beginning with the 2025-26 school year and ending with 2029-30. Requires DPI, by September 15, 2024, to develop criteria and procedures for a local school administrative unit to apply to participate. Sets out items that must be included in the application. Requires participant selection by December 15, 2024. Requires DPI to contract with an independent research organization for the length of the program to evaluate the implementation and success of the programs. Sets out dates by which that organization must report to the State Board of Education and DPI; also sets out dates by which DPI must report to the specified NCGA committee, beginning in 2026.

Appropriates \$1,442,560 in recurring funds for 2024-25 from the General Fund to DPI to support implementation of the pilot program; allows using up to \$200,000 for the contract with the independent research organization.

Effective July 1, 2024.

Intro. by Quick.

APPROP, STUDY

View summary

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

H 1015 (2023-2024) FUNDS/GREENSBORO'S TENNIS COURTS. Filed May 2 2024, AN ACT TO PROVIDE FUNDS TO THE CITY OF GREENSBORO FOR ITS TENNIS COURT RESURFACE PROJECT.

Appropriates \$250,000 for 2024-25 from the General Fund to the Office of State Budget and Management for a directed grant to the City of Greensboro as title indicates. Effective July 1, 2024.

Intro. by Quick.

APPROP, Guilford

View summary

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

H 1016 (2023-2024) GAMBLING EDUCATION. Filed May 2 2024, AN ACT TO REQUIRE GAMBLING ADDICTION EDUCATION TO BE PROVIDED IN PUBLIC SCHOOLS.

Enacts new GS 115C-81.22 requiring instructing public middle and high school students in their health class on the addictive potential of gambling and the costs and consequences of a gambling addiction. Amends the following statutes to make the requirement applicable in other types of schools (without specifying the topic be a part of health class): GS 115C-218.85 (charter schools); GS 115C-238.66 (regional schools); GS 115C-150.12C (schools for deaf and blind students); GS 116-239.8 (laboratory schools). Makes conforming changes to SL 2018-32, as amended.

Appropriates \$10,000 from the General Fund to the Department of Public Instruction to develop standards for gambling education.

Effective July 1, 2024, and applies beginning with the 2024-25 school year.

Intro. by John, Harris, Quick, Ball.

APPROP, GS 115C, GS 116

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Lottery and Gaming

H 1022 (2023-2024) DHHS TRANSITIONAL HOUSING STUDY. Filed May 2 2024, AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONDUCT A STUDY FOCUSING ON TRANSITIONAL HOUSING ALTERNATIVES, ADDITIONAL PROGRAMS AND RESOURCES, AND POTENTIAL LEGISLATIVE CHANGES TO ADDRESS AND MITIGATE HOMELESSNESS IN THE STATE.

Requires the Department of Health and Human Services to study ways to address and mitigate homelessness. Requires examining eight issues, including current programs related to homelessness in the state and any gaps in services; availability of housing in metropolitan and rural areas; and best practices of other states. Requires a report to the specified NCGA committee and division by December 1, 2025.

Appropriates \$1 million for 2024-25 from the General Fund to the Department of Health and Human Services to implement the

Effective July 1, 2024.

Intro. by Reives, Lowery, Johnson, Charles Smith.

APPROP, STUDY

View summary

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services

H 1025 (2023-2024) ADDITIONAL FUNDS - HOUSING TRUST FUND. Filed May 2 2024, AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE NORTH CAROLINA HOUSING TRUST FUND.

Appropriates \$2.3 million for 2024-25 from the General Fund to the North Carolina Housing Trust Fund, in additional recurring funds, to be administered in accordance with the provisions of GS Chapter 122E. Effective July 1, 2024.

Intro. by Rudow.

APPROP

View summary

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations

H 1026 (2023-2024) FUNDS FOR NC COMMUNITY HEALTH WORKER ASSN. Filed May 2 2024, AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO SUPPORT THE NORTH CAROLINA COMMUNITY HEALTH WORKER ASSOCIATION.

Appropriates \$1 million for 2024-25 from the Department of Health and Human Services, Division of Public Health, to be allocated as a directed grant to the NC Community Health Worker Association to fund the association's continued mobilization, training, and certification of community health workers for the state's workforce. Effective July 1, 2024.

Intro. by Rudow, Wheatley, Budd, Cervania.

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 1029 (2023-2024) RIGHT TO TRY INDIVIDUALIZED TREATMENTS. Filed May 2 2024, AN ACT TO PROVIDE ELIGIBLE PATIENTS THE RIGHT TO TRY INDIVIDUALIZED INVESTIGATIONAL DRUGS, BIOLOGICAL PRODUCTS, AND DEVICES TO TREAT LIFE-THREATENING OR SEVERELY DEBILITATING ILLNESSES AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Adds new Part 3, Individualized Treatments, to Article 23A of GS Chapter 90, providing as follows.

Allows a manufacturer operating within an eligible facility and in accordance with federal laws to make available to an eligible patient, and an eligible patient may request, the manufacturer's individualized investigational drug, biological product, or device. Specifies that this does not require the manufacturer to make the item available. Allows such a manufacturer to provide the individualized investigational drug, biological product, or device to an eligible patient for free or may require the patient to pay the costs of, or the costs associated with, the manufacture of the individualized investigational drug, biological product, or device.

Defines an eligible patient as an individual who meets all of the following: (1) has a life-threatening or severely debilitating illness, attested to by a treating physician; (2) has, in consultation with a treating physician, considered all other treatment options currently approved by the US Food and Drug Administration; (3) has received a recommendation from the treating physician for use of an individualized investigational drug, biological product, or device for treatment of the life-threatening or severely debilitating illness; (4) has given informed consent in writing (as defined) to use of the individualized investigational drug, biological product, or device for treatment of the life-threatening or severely debilitating illness or, if the individual is a minor or is otherwise incapable of providing informed consent, the parent or legal guardian has given informed consent in writing to use of the individualized investigational drug, biological product, or device; and (5) has documentation from the treating physician that the individual meets all of the criteria for this definition. Defines an *eligible facility* as any institution operating under Federalwide Assurance for the Protection of Human Subjects in accordance with 45 C.F.R. § 46 and 42 U.S.C. § 289(a). Defines *individualized investigational drug, biological product, or device* as a drug, biological product, or device that is unique and produced exclusively for use for an individual patient, based on their own genetic profile, including individualized gene therapy antisense oligonucleotides and individualized neoantigen vaccines.

Provides that if a patient dies during treatment with the investigational drug, biological product, or device, their heirs are not liable for any outstanding debt related to the treatment.

Prohibits taking disciplinary action against a licensed health care provider, or action against their Medicare certification, based solely on their recommendation to an eligible patient regarding access to or treatment with the individualized item.

Prohibits State officials, employees, or agents from blocking or attempting to block an eligible patient's access to an individualized investigational drug, biological product, or device. Also prohibits bringing a private right of action against a manufacturer, or against any other person or entity involved in the patient's care for any harm resulting from use of the individualized investigational drug, biological product, or device as long as the manufacturer or other person or entity has

made a good-faith effort to comply with the provisions of this Part and has exercised reasonable care in actions undertaken pursuant to this Part.

Effective October 1, 2024.

Appropriates \$50,000 for 2024-25 from the General Fund to the Department of Health and Human Services to implement the act. Effective July 1, 2024.

Intro. by Chesser, Blackwell, Potts, Reeder.

APPROP, GS 90

View summary

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

H 1030 (2023-2024) QUALITY CARE FOR MOTHERS. Filed May 2 2024, AN ACT REQUIRING QUALITY CARE FOR MOTHERS.

Enacts new GS 75-44 requiring any pregnancy center advertisement to convey accurate and complete information about the center's services, in plain language that is easy to understand. Defines advertisement. Defines pregnancy center as: a nongovernmental, nonprofit organization, other than a hospital, ambulatory surgical facility, or clinic that performs abortions, that holds itself out as a provider of care and support for pregnant women, including pregnancy counseling services, pregnancy testing, and other nonmedical pregnancy services.

Makes it illegal for a pregnancy center in an advertisement, on a call line, on a website, or in any other materials or verbal communication to knowingly make a materially false or misleading statement, or provide false or misleading information about: (1) the nature, identity, or location of a pregnancy center; (2) the medical risks and long-term effects of pregnancy, prenatal care, abortion, and contraceptives; (3) the credentials, qualifications, or experience of persons providing treatment or services in the center; (4) the types and methods of services provided or used by the center, and information about where they are provided. Violations are an unfair or deceptive trade practice.

Effective October 1, 2024.

Appropriates \$25,000 in recurring funds for 2024-25 from the General Fund to the Department of Justice to be allocated to the Attorney General to assist in enforcing this act. Effective July 1, 2024.

Intro. by Cervania, Budd, Crawford.

APPROP, GS 75

View summary

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

H 1036 (2023-2024) AI TASK FORCE/FUNDS. Filed May 2 2024, AN ACT CREATING THE NORTH CAROLINA ARTIFICIAL INTELLIGENCE TASK FORCE AND APPROPRIATING FUNDS FOR THAT PURPOSE.

Creates the NC Artificial Intelligence (AI) Task Force (Task Force) to do six listed things, including serving as a vehicle to connect the NCGA with public and industry AI stakeholders on AI issues, hearing from AI experts in State and local governments, and developing and providing expertise about AI legislation that can guide wider membership. Provides for 18 appointed voting members, and lists out appointment authorities and qualifications. Provides for 13 nonvoting members, and lists out appointment authorities and qualifications. Provides for six ex officio members. Specifies that the Task Force will carry out its work through the following four working groups with a mix of voting, nonvoting, and ex office members:(1) Working Group on Innovation; (2) Working Group on Standards and Ethics; (3) Working Group on Risks; and (4) Working Group on Individual Rights. Provides for the scope of each working group. Defines AI, automated decision system, and high-risk automated decision system. Requires that State agencies in executive, judicial and legislative branches, upon written request: (1) submit to the Task Force an inventory with required information of high-risk automated decision systems and (2)

complete an impact inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any State agency. Provides for two Task Force co-chairs, with one appointed by the President Pro Tempore of the Senate and the other by the Speaker of the House. Provides for meeting space, per diems, and the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses.

Requires the Task Force to submit its legislative proposals and recommendations to the 2025 NCGA. Provides that the Task Force terminates upon submission of its proposals and recommendations.

Appropriates \$250,000 from the General Fund to the NCGA for the Task Force for the 2024-2025 fiscal year to carry out its charges under the act, effective July 1, 2024.

Intro. by Hawkins, Saine.

APPROP

View summary

Government, Budget/Appropriations, General Assembly, State Agencies, Department of Information Technology

H 1037 (2023-2024) END PREDATORY TOWING FEES AND PRACTICES. Filed May 2 2024, AN ACT TO END PREDATORY TOWING FEES AND PRACTICES.

Enacts new GS 20-219.25 requiring fees charged by a towing company to be reasonable, not excessive, and clearly disclosed (before towing if possible). Prohibits towing a car to a location that does not offer recovery of the vehicle within 24 hours of towing. Prohibits charging storage fees for days when the company is not open from at least 9:00 am to 4:00 pm. Requires the company to wait one business day since the towed vehicle could first be recovered before charging a storage fee, unless it is open 24 hours per day. Requires a towing company to accept credit cards, debit cards, and cash. Provides for a limit on payment processing fees. Allows the Attorney General to adopt rules to implement this statute. Allows accessing penalties of up to \$5,000 per violation, with proceeds of the penalties remitted to the Civil Penalty and Forfeiture Fund. Also allows the Attorney General to take other appropriate enforcement action. Sets out factors for the Attorney General to consider when deciding if a fee is reasonable and not excessive. Violations of the statute are considered an unfair and deceptive trade practice. Makes conforming changes to the title of Article 7B of GS Chapter 20. Effective October 1, 2024.

Appropriates \$10,000, beginning with the 2024-25 fiscal year, from the General Fund to the Department of Justice, to implement the act. Effective July 1, 2024.

Intro. by Longest, Hawkins, Warren, Buansi.

APPROP, GS 20

View summary

Courts/Judiciary, Motor Vehicle, Government, Budget/Appropriations, State Agencies, Department of Justice

H 1038 (2023-2024) DIABETES EDUCATION FOR PARENTS. Filed May 2 2024, AN ACT TO REQUIRE PUBLIC SCHOOL UNITS TO PROVIDE INFORMATION ABOUT DIABETES TO PARENTS AND LEGAL GUARDIANS.

Enacts GS 115C-77, mandating that governing bodies of public school units ensure all schools provide parents and legal guardians information containing six described components relating to type 1 and type 2 diabetes at the start of each school year.

Appropriates \$10,000 from the General Fund to the Department of Public Instruction for 2024-25 for developing and distributing guidance to public school units on implementing the act's requirements.

Effective July 1, 2024, and applies beginning with the 2024-25 school year.

Intro. by Cotham.

APPROP, GS 115C

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Health and Human Services, Health

H 1039 (2023-2024) RESTORE LEA SALES TAX BENEFIT. Filed May 2 2024, AN ACT TO RESTORE THE SALES TAX REFUND AUTHORIZED FOR LOCAL SCHOOL ADMINISTRATIVE UNITS.

Reenacts GS 105-164.14(c)(2b) and (2c) as the subsubsections existed immediately before their repeal by SL 2005-276, effective July 1, 2005. Subsubsection (2b) and (2c) list local school administrative units and joint agencies created by interlocal agreement among local school administrative units to jointly purchase food service-related materials, supplies, and equipment on their behalf as identified governmental entities allowed an annual refund on taxes paid on direct purchases as described in subsection (c).

Repeals the provisions of GS 105-467(b) pertaining to tax refunds allowed for direct purchases of tangible personal property and services by local school administrative units and joint agencies created by interlocal agreement among units that jointly purchase food service related materials, supplies, and equipment on their behalf.

Repeals GS 105-164.44H, which provides for a quarterly transfer of a specified amount of the sales and use tax collected by the Department of Revenue to the State Public School Fund. Directs the Director of Budget to adjust the State Public School Fund accordingly. Appropriates to the State Public School Fund a recurring amount equal to the amount of this adjustment.

Effective July 1, 2024, and applies to sales made on or after that date.

Intro. by Lofton, Harris.

GS 105

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, Tax, Local Government

H 1041 (2023-2024) BUSINESS MICROLOAN PROGRAM. Filed May 2 2024, AN ACT REQUIRING THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE AND THE DEPARTMENT OF COMMERCE TO STUDY A PROGRAM TO PROVIDE MICROLOANS TO SMALL, LOW-INCOME BUSINESSES WITH LIMITED ACCESS TO COMMERCIAL CREDIT MARKETS, AND TO APPROPRIATE MONEY FOR THAT PURPOSE.

Requires the Joint Legislative Economic Development and Global Engagement Oversight Committee (Committee) and the Department of Commerce (Department) to study the potential costs and anticipated benefits of a program that provides funding for microloans and business training by nonprofit economic development entities for aspiring low-income entrepreneurs without access to commercial credit markets so as to provide a pathway for business and employment growth and establishing credit to facilitate traditional banking relationships. Sets out six items that must be included in the study, including a determination of the proper term of the microloan and maximum amount of the loan and interest rate, and a determination of income eligibility limits. Requires the Department to report to the Committee by December 1, 2024, and for the Committee to report to the NCGA by the convening of the 2025 Regular Session.

Appropriates \$10,000 for 2024-25 from the General Fund to the Department for the study.

Effective July 1, 2024.

Intro. by Lofton, Harris.

APPROP, STUDY

View summary

Banking and Finance, Business and Commerce, Government, Budget/Appropriations, General Assembly, State Agencies,

Department of Commerce

H 1050 (2023-2024) FOOD INSECURITY GRANTS. Filed May 2 2024, AN ACT TO CREATE A GRANT PROGRAM TO SUPPORT NONPROFIT ORGANIZATIONS ADDRESS FOOD INSECURITY, AND TO APPROPRIATE MONEY FOR PURPOSES CONSISTENT WITH THAT PROGRAM.

Directs the Department of Agriculture and Consumer Services (DACS) to establish and administer a grant program to support nonprofit organizations addressing food insecurity. Directs DACS to annually report to the specified NCGA committee, committee chairs, and division on the allocation of grant funds and annual expenditures. Permits up to 3% of the funds appropriated to DACS to be used to administer the grant program.

Appropriates \$100,000 from the General Fund to DACS for 2024-25 for the described purposes.

Effective July 1, 2024.

Intro. by Hawkins.

APPROP

View summary

Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services, Health and Human Services, Health

H 1054 (2023-2024) EMPOWER SMALL/SOCIALLY DISADVANTAGED FARMERS. Filed May 2 2024, AN ACT TO EMPOWER SMALL AND SOCIALLY DISADVANTAGED FARMERS IN NORTH CAROLINA.

Identical to S 860, filed 5/2/24.

Sets out findings and the purpose of the act related to the loss of land farmed by small and socially disadvantaged farmers and a drop in the number of those farmers.

Enacts new Article 61B, Small and Socially Disadvantaged Farmers Grant Program (Grant Program), in GS Chapter 106. Sets out and defines terms used in the Article, including the following. Defines an eligible individual as a State resident who is at least 21 years old, is a small farmer or socially disadvantaged farmer, and has an annual income from farming operations for the preceding taxable year of at least \$1,000 or more. Defines a small farmer as one with a gross cash farm income of \$250,000 or less. Defines a socially disadvantaged farmer as one who is a member of a socially disadvantaged group (group of people whose members have been subject to racial or ethnic prejudice because of their identity as a member a group without regard to their individual qualities).

Establishes the Grant Program within the Department of Agriculture and Consumer Services (DACS) which will provide grants from the new Socially Disadvantaged Farmer Restoration Fund (Fund). Grants are for essential inputs, equipment, and operation improvements of the eligible individual's farming operations. Sets out grant restrictions and procedures, with funding priorities and amounts set by the Commissioner of Agriculture and Consumer Services. Requires the establishment of an advisory committee to monitor the Grant Program. Requires DACS to adopt rules to carry out the Article.

Appropriates \$10 million in recurring funds for 2024-25 from the General Fund to DACS, to be allocated to the Grant Program. Allows DACS to retain up to 3% of the funds for administrative costs.

Effective July 1, 2024.

Intro. by Jeffers.

APPROP, GS 106

View summary

Agriculture, Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services H 1056 (2023-2024) PA LICENSURE INTERSTATE COMPACT. Filed May 2 2024, AN ACT TO ESTABLISH A PA LICENSURE COMPACT FOR THE LICENSURE OF PHYSICIAN ASSISTANTS.

Identical to S 879, filed 5/2/24.

Enacts new Article 18J, Physician Assistant Licensure Compact (PA Compact), to GS Chapter 90. States the purpose of the PA Compact and sets forth 22 defined terms, including adverse action (any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a Licensing Board or other authority against a PA License or license application or compact privilege such as license denial, censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice), qualifying license (an unrestricted license issued by a participating state to provide medical services as a PA), remote state (a participating state where a licensee who's not licensed is seeking to exercise compact privileges), and significant investigative information (investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the PA to respond if required by state law, has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction).

Lists eight requirements for a State to participate in the PA Compact, including that it licenses PAs who have, amongst other things, passed a nationally recognized exam; conducts certain background checks; and grants PA compact privileges to qualifying licensees from participating states. Specifies that participating states may charge a fee for granting PA Compact privileges. Adds new GS 90-270.203, listing 12 requirements a licensee must meet to be granted compact privileges, including graduation from certain PA programs, certifications, holding a qualifying license, and no felony or misdemeanor convictions along with other background qualifiers. Specifies that compact privileges are valid until the expiration or revocation of the licensee's qualifying license. Directs that if the participating state in the PA Compact where the licensee is licensed takes adverse action (defined), then the licensee's compact privileges in any remote state in which they have privileges are lost until the license is no longer limited or restricted and two years have elapsed from the date that the license became no longer limited or restricted and the licensees again meets the 12 requirements for compact privileges in GS 90-270.203(a). Requires that, for each remote state where a PA seeks authority to prescribe controlled substances, the PA must satisfy all requirements imposed by the state in granting or renewing such authority.

Adds new GS 90-270.204, requiring that the licensee identify the participating state where they are applying along with (1) the address of their primary residence, (2) requirement to immediately report any changes of primary residence, and (3) the licensee consents to service of process at their primary residence.

Adds new GS 90-270.205, pertaining to adverse actions. Designates the participating state where the PA is licensed with exclusive power to impose adverse action against the PA's qualifying license issued by that state. Lists four things that remote states have the authority to do, including taking adverse action against a PA's compact privilege or other action necessary to protect the health and safety of its citizens. Requires the licensee's participating state to give priority and effect to reported conducted received from any other participating state as if the conduct occurred in the participating state itself. Requires the participating state to apply its own laws to determine appropriate action. Allows participating states to recover costs of investigation and disposition of cases from licensees subject to an adverse action. Allows for adverse actions by participating states based on factual findings of a remote state. Provides for joint investigations by participating and remote states. Specifies that if an adverse action is taken against the qualifying license then the PA's compact privileges in all remote states are deactivated until two years have elapsed after all restrictions have been removed from the license. Provides for a disciplinary order and notice by the participating state to the administrator of the data system established under GS 90-270.207.

Adds new GS 90-276.206, establishing a PA Licensure Compact Commission (Commission), a joint government agency and national administrative body. Provides for Commission membership; voting; meetings; powers and duties; an executive committee; financing; recordkeeping; and member-qualified immunity, defense, and indemnification. Among the 23 powers and duties charged of the Committee, includes establishing a code of ethics, prosecuting legal proceedings and actions so long as the standing of any state licensing board to sue or be sued under applicable law is not affected, and the acquisition and disposal of property. Provides for Commission rulemaking procedures and effect, including a participating state challenge of a Commission rule if it conflicts with the state's law pertaining to medical services that a PA may perform in the state and rejection of a rule by a majority of participating state legislatures.

Adds new GS 90-270.207, requiring the Commission to establish a coordinated database and reporting system containing licensure, adverse action, and the reporting of the existence of significant investigative information on all licensed PAs and applicants denied a license in participating states. Designates information provided to a participating state from the database is

an authenticated business record entitled to a hearsay exception in any relevant judicial, quasi-judicial, or administrative proceeding in a participating state when certified by the Commission or an agent thereof.

Adds new GS 90-270.209, detailing oversight of the PA Compact by the executive and judicial branches in each participating state, dispute resolution procedures between member states, and PA Compact enforcement by the Commission. Provides for member state default grounds and procedures, member termination procedures, and dissolution. Provides for venue and available remedies in legal action against the Commission. Specifies that only a participating state can enforce the PA Compact against the Commission. Adds new GS 90-270.210, that provides for the Compact to become effective upon enactment in the seventh member state and withdrawal procedures by member states. Requires the Commission to review all participating state charters once the PA Compact becomes effective to ensure they are all in compliance with the model compact. Allows for a participating state to default if its compact is materially in conflict with the model compact.

Deems the provisions of the PA Compact severable and advises on its construction and effect on other laws.

Makes conforming changes to GS 90-9.3 (requirements for licensure as a physician assistant).

Effective October 1, 2024.

Intro. by Paré, Sasser, White.

GS 90

View summary

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

PUBLIC/SENATE BILLS

S 806 (2023-2024) COMMUNITY EMERGENCY RESPONSE TRAINING. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, FOR THE COMMUNITY EMERGENCY RESPONSE TEAM.

Appropriates \$3 million in recurring funds for 2024-25 from the General Fund to the Department of Public Safety, Division of Emergency Management, to expand and promote the Community Emergency Response Team (CERT) program and training. Effective July 1, 2024.

Intro. by Smith. APPROP

View summary

Government, Budget/Appropriations, Public Safety and

Emergency Management, State Agencies, Department of

Public Safety

S 808 (2023-2024) RIGHT TO USE CONTRACEPTION ACT. Filed May 2 2024, AN ACT PROTECTING THE RIGHT TO USE CONTRACEPTION AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT THE MEDICAID FAMILY PLANNING PROGRAM.

Adds new Article 1O, Right to Use Contraception, in GS Chapter 90, providing as follows.

Sets out State policy that the State has no legitimate governmental interest in limiting the freedom to use contraception to prevent pregnancy.

Defines contraception, contraceptive, and health care provider. Gives a person the right to obtain contraceptives and engage in contraception; gives a health care provider the right to provide contraception and contraception-related information. Requires that to defend against a claim that a law, regulation, or policy violates a health care provider's or patient's statutory rights, a party must establish, by clear and convincing evidence either: (1) that the law, regulation, or policy advances the safety of contraceptives, contraception, and contraception-related information and the safety of contraceptives, contraception, and

contraception-related information or the health of patients cannot be advanced by a less restrictive alternative measure or action or (2) the law, regulation, or policy that is being applied to contraception is also being applied to other medically similar drugs, devices, or biological products.

Prohibits the State or any city or county from administering, implementing, or enforcing any law, rule, regulation, standard, or other provision having the force and effect of law in a manner that: (1) prohibits or restricts the sale, provision, or use of any contraceptives approved by the US Food and Drug Administration for contraceptive purposes; (2) prohibits or restricts any person from aiding another person in obtaining any contraceptives approved by the US Food and Drug Administration or utilizing any contraceptive methods; or (3) exempts any contraceptives approved by the US Food and Drug Administration from any other generally applicable law in a way that would make it more difficult to sell, provide, obtain, or use those contraceptives or contraceptive methods.

Allows the Attorney General to commence a civil action on behalf of the State for any violations. Allows an individual or entity adversely affected by a violation to commence a civil action. Allows health care providers to commence an action on their own behalf, on behalf of their staff, and on behalf of their patients. Requires the court to set aside any violating law, rule, regulation, standard, or provision. Allows the court to award appropriate equitable relief, including injunctive relief.

Appropriates \$3 million for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Health Benefits, to expand education programs related to the NC Medicaid Family Planning Program (aka "Be Smart"). Specifies that these funds provide a State match. Effective July 1, 2024.

Intro. by Smith, Grafstein, Garrett.

APPROP, GS 90

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

S 820 (2023-2024) SCHOOL WORKERS FAIR PAY ACT. Filed May 2 2024, AN ACT TO REQUIRE THE HOURLY RATE OF THE MINIMUM SALARY FOR NONCERTIFIED PUBLIC SCHOOL EMPLOYEES TO BE AT LEAST SEVENTEEN DOLLARS PER HOUR.

Sets the minimum hourly pay rate for all noncertified public school employee at \$17/hour and requires the State Board of Education to make the necessary increases.

Allows funding for local school administrative units provided in this act to be used to supplement the salaries of noncertified public school employees whose salaries are supported from non-state funds to meet the minimum \$17/hour rate.

Appropriates \$144.7 million in recurring funds in 2024-25 from the General Fund to the Department of Public Instruction to implement the act.

Effective July 1, 2024.

Intro. by Grafstein, Batch, Garrett.

APPROP

View summary

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

S 823 (2023-2024) KELLIN FOUNDATION HOPE HUB FUNDS. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE KELLIN FOUNDATION'S INTEGRATED HEALTH CENTER.

Appropriates \$1.5 million for 2024-25 in nonrecurring funds from the General Fund to the Office of State Budget and Management, to provide a directed grant to the Kellin Foundation to be used as title indicates. Effective July 1, 2024.

Intro. by Garrett, Robinson.

APPROP

View summary

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

S 824 (2023-2024) GUILDFORD COUNTY SCHOOLS MISC. FUNDING. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO GUILFORD COUNTY SCHOOLS FOR VARIOUS PROGRAMS.

Appropriates \$12.8 million for 2024-25 from the General Fund to the Department of Public Instruction to be allocated as a directed grant to Guilford County Schools to recruit and retain school personnel, sustain high school learning hubs, expand school safety, and expand and sustain career and technology education programs. Effective July 1, 2024.

Intro. by Garrett, Robinson.

APPROP, Guilford

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction

S 838 (2023-2024) MOMNIBUS 2.5. Filed May 2 2024, AN ACT TO ENACT THE NORTH CAROLINA MOMNIBUS ACT OF 2024.

Includes whereas clauses.

Part I.

Enacts new GS 130A-33.62, providing as follows. Requires the Department of Health and Human Services (DHHS) to develop, in collaboration with (1) community-based organizations led by black women that serve primarily black birthing people and (2) a historically black college or university or other institution that primarily serves minority populations to create or identify an evidence-based implicit bias training program (training program) for maternal care professionals involved in perinatal care (the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods). Sets out 12 minimum components of the training program, including identification of previous or current unconscious biases and misinformation; identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion; corrective measures to decrease implicit bias at the interpersonal and institutional levels; and information about how to communicate more effectively across identities. Requires all maternal care professionals to complete the training program, specifying deadlines for completion depending on whether the individual is licensed before or after January 1, 2025. Requires proof of completion for license/registration/accreditation/certification renewal. Defines a maternal care provider as including both: (1) a health care professional involved in perinatal care and (2) a mental health professional who provides mental health or substance use disorder services to women during pregnancy, the postpartum period, or both. Encourages DHHS to seek opportunities to make the training program available to all health care professions and to promote its use among four specified types of providers and programs. Requires DHHS to collect specified information related to maternal mortality to inform ongoing improvements to the training program.

Enacts GS 130A-33.63 specifying that a patient getting care at a perinatal care facility (a hospital, clinic, or birthing center providing perinatal care in the state) has six listed rights, including: to be informed of continuing health care requirements following discharge; to actively participate in decisions regarding the patient's medical care and the right to refuse treatment; and to receive care and treatment free from discrimination on the basis of age, race, ethnicity, color, religion, ancestry, disability, medical condition, genetic information, marital status, sex, gender identity, gender expression, sexual orientation,

socioeconomic status, citizenship, nationality, immigration status, primary language, or language proficiency. Requires perinatal care facilities to provide patients upon admission with a written copy of the rights.

Appropriates \$1.5 million in recurring funds for 2024-25 from the General Fund to the DHHS, Division on Public Health, to be allocated in the specified amounts for: (1) costs in developing and administering the implicit bias training and (2) an allocation to the Women, Infant, and Community Wellness Section to support the North Carolina Maternal Mental Health MATTERS Program.

Part II.

Requires DHHS to establish and administer a Perinatal Education Grant Program to award grants to entities to establish or expand perinatal education program in rural, underserved, or low-wealth areas of the state. Defines a perinatal education program as one that operates for the primary purpose of educating pregnant women and their families about healthy pregnancy, preparation for labor and birth, breastfeeding, newborn care, or any combination of these.

Requires, beginning July 1, 2024, that DHHS: (1) conduct outreach to encourage eligible applicants to apply for grants and (2) provide application assistance to eligible applicants on best practices for applying for the program's grants. Sets out criteria for classes of entities that are to be given special consideration. Sets the range for a single grant's amount from \$10,000 to \$50,000. Terminates the Grant Program on June 30, 2025.

Requires DHHS to report by October 1, 2026, to the specified NCGA committee and division on: (1) funds expended for the program for the 2024-25 fiscal year; (2) assessment of the effectiveness of programs funded by these grants in improving maternal health outcomes for black women; and (3) recommendations for future grant programs to be administered by DHHS and for future funding opportunities for community-based organizations to improve maternal health outcomes for black women through programs and resources aligned with evidence-based practices for improving maternal health outcomes for black women.

Appropriates \$1.5 million for 2024-25 from the General Fund to the DHHS, Division of Public Health, to fund the Grant Program. Allows DHHS to use up to 10% of the funds for administrative purposes.

Part III.

Effective July 1, 2024, appropriates \$2 million for 2024-25 in recurring funding from the General Fund to DHHS, Division of Public Health, to develop a training program for community health works that provides comprehensive education on the warning signs of complications after birth. Requires that the training be provided for free to community health workers serving rural, underserved, or low-wealth areas of the state. Sets out the definition of a *community health worker*.

Intro. by Murdock, Batch, Robinson.

APPROP, GS 130A

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

S 840 (2023-2024) FUNDS FOR LACTATION CNSLT. PROGRAMS AT HBCUS. Filed May 2 2024, AN ACT APPROPRIATING FUNDS TO SUPPORT LACTATION CONSULTANT TRAINING PROGRAMS AT NORTH CAROLINA AGRICULTURAL & AMP TECHNICAL STATE UNIVERSITY AND JOHNSON C. SMITH UNIVERSITY.

Appropriates \$500,000 for 2024-25 from the General Fund to the UNC Board of Governors for recruiting, training, and retaining a diverse workforce of lactation consultants in North Carolina by supporting the infrastructure and sustainability of lactation consultant training programs at Historically Black Colleges and Universities located within the State, to be distributed equally between North Carolina Agricultural & Technical State University and Johnson C. Smith University to cover costs of administering a lactation training program, including specified costs that include student aid. Requires the Department of Health and Human Services Office of Minority Health and Health Disparities to give technical assistance to those two schools concerning developing training content, recruitment from historically marginalized populations to enroll, recruitment of

historically underutilized providers to serve as teachers and preceptors, and identifying rural and medically underserved areas of the State experiencing a shortage of lactation consultants in order to recruit program graduates to work in these areas. Requires a report by May 1, 2026, to the specified NCGA committees on the benefits the state received due to the funding of the training programs. Sets out items that must be included in the report. Effective July 1, 2024.

Intro. by Murdock, Salvador.

APPROP

View summary

Education, Higher Education, Government,
Budget/Appropriations, State Agencies, UNC System,
Department of Health and Human Services, Health and
Human Services, Health, Health Care Facilities and Providers,
Public Health

S 843 (2023-2024) THE FREEDOM FROM FENTANYL ACT. Filed May 2 2024, AN ACT ENACTING THE FREEDOM FROM FENTANYL ACT TO RESTRICT THE SALE OF VAPOR PRODUCTS NEAR CHILD CARE FACILITIES, SCHOOLS, CERTAIN INSTITUTIONS OF HIGHER EDUCATION, AND RELIGIOUS PLACES OF WORSHIP; TO CREATE A FENTANYL MISUSE TASK FORCE; AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO PURCHASE OPIOID ANTAGONISTS FOR LOCAL HEALTH DEPARTMENTS TO DISTRIBUTE FREE OF CHARGE TO NORTH CAROLINA RESIDENTS.

Part I.

Title the act, "Freedom from Fentanyl Act."

Part II.

Enacts new GS 14-401.28 making it a Class 2 misdemeanor for any person, firm, or corporation to sell or purchase any vapor products within 1,000 linear feet of the property line of: (1) a church, chapel, meetinghouse, synagogue, temple, longhouse, or mosque, or other building that is regularly used, and clearly identifiable, as a place for religious worship; (2) a child care facility; (3) a public school unit, or any nonpublic school; (4) a community college under the jurisdiction of the State Board of Community Colleges; or (5) the facilities of The University of North Carolina and the grounds of those facilities. Applies to offenses committed on or after December 1, 2024.

Part III.

Creates the Fentanyl Misuse Task Force, consisting of representatives of the 12 specified entities, to study and make recommendations to the NCGA and Governor on ways to combat fentanyl misuse in the state. Sets out provisions governing election of a chair, meetings, quorums, and expenses. Requires a interim report to the 2025 General Assembly when it convenes in 2026 and a final report to the 2027 General Assembly and terminates the Task Force upon filing of the final report.

Part IV.

Effective July 1, 2024, appropriates \$15 million in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Public Health (Division), to purchase opioid-related antagonists and reduce the number of opioid-related deaths.

Requires local health departments that receive the opioid antagonists to distribute them for free to state residents. Requires the Division to collaborate with local health departments to ensure efficient and widespread distribution of the opioid antagonists.

Intro. by Batch, Smith, Grafstein.

APPROP, STUDY, GS 14

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health

and Human Services, Health, Public Health

View summary

S 844 (2023-2024) MIDDLE CLASS MOMENTUM ACT. Filed May 2 2024, AN ACT TO INCREASE THE STANDARD DEDUCTION.

Amends GS 105-153.5 by increasing the amount of the income tax standard deduction to the following: (1) married, filing jointly/surviving spouse, \$26,000 (was, \$25,500); (2) head of household, \$19,500 (was, \$19,125); (3) single, \$13,000 (was, \$12,750); and (4) married, filing separately, \$13,000 (was, \$12,750). Effective for taxable years beginning on or after January 1, 2025.

Intro. by Batch, Grafstein, Garrett.

GS 105

View summary

Government, Tax

S 848 (2023-2024) PROTECT REPRODUCTIVE HEALTH. Filed May 2 2024, AN ACT TO CODIFY ROE AND CASEY PROTECTIONS; TO PRESERVE WOMEN'S ACCESS TO OUT-OF-STATE ABORTIONS; TO CRIMINALIZE THE INTERFERENCE WITH A WOMAN SEEKING AN ABORTION; TO CREATE A PRIVATE RIGHT OF ACTION AGAINST AN INDIVIDUAL WHO INTERFERES WITH A WOMAN SEEKING AN ABORTION; TO DECLARE THE RIGHT TO USE CONTRACEPTION TO PREVENT PREGNANCY SHALL NOT BE LIMITED; TO PROHIBIT THE TRACKING OF INDIVIDUALS WHO PURCHASE EMERGENCY CONTRACEPTION; TO CLARIFY THAT INDIVIDUALS WHO PROVIDE TRANSPORTATION TO ABORTIONS ARE NOT CRIMINALLY LIABLE; AND TO PROHIBIT GEOFENCING WITHIN A ONE-MILE RADIUS OF A HEALTHCARE FACILITY THAT PROVIDES ABORTIONS.

Part I.

Enacts Article 1M in GS Chapter 90, to be known as "Codify Roe and Casey Protections" providing as follows. Sets out the Article's purpose. Prohibits the State from imposing an undue burden on the ability of a woman to choose whether or not to terminate a pregnancy before fetal viability. Specifies that the State may: (1) restrict the ability of a woman to choose whether or not to terminate a pregnancy after fetal viability, unless termination is necessary to preserve the woman's life or health or (2) enact laws, rules, or regulations, to further the health or safety of a woman seeking to terminate a pregnancy. Defines undue burden to mean any burden that places a substantial obstacle in the path of a woman seeking to terminate a pregnancy before fetal viability. Specifies that the Article does not have an effect on laws regarding conscience protection.

Part II.

Enacts new GS 90-21.94, which provides that women in the State have the right to access reproductive healthcare in other states. Makes it lawful to assist or support an individual seeking an abortion or obtaining contraception in another state. Exempts abortions performed or initiated in another state from the civil remedies provisions of GS 90-21.88.

Part III.

Enacts new GS 14-277.9, making it a Class H felony to engage in any one of four specified acts towards a person seeking an abortion, including threats, harassment, misuse of personal information, or blocking ingress or egress of a healthcare facility. Effective December 1, 2024.

Part IV.

Amends GS 99D-1 to provide for a private right of action for any of the acts described in Part III 3, with remedies including injunctions, compensatory and punitive damages, and costs and attorneys' fees. Requires actions to be brought within the later of 25 years of the conduct or four years after discovery of the conduct. Effective October 1, 2024, and applies to violations committed on or after that date.

Part V.

Enacts the Right to Use Contraception Act (Article 44 to GS Chapter 90), declaring that the "right to use contraception implicates the fundamental liberty to prevent pregnancy. It is the policy of the State of North Carolina that this State has no legitimate governmental interest in limiting the freedom to use contraception to prevent pregnancy."

Part VI.

Enacts the Emergency Contraception Financial Privacy Act (Article 52 to GS Chapter 66), which prevents merchants, payment card networks, banks, or retailers from (1) assigning a payment code or other code that identifies a transaction as made for emergency contraception, (2) maintaining a record of individuals in the State who have purchased emergency contraception, and (3) knowingly disclosing the identity of an individual who has purchased emergency contraception.

Part VII.

Enacts new GS 90-21.95, which specifies that no person who provides transportation to a woman to a healthcare facility where an abortion is performed on that woman is criminally liable for the sole reason of providing transportation.

Part VIII.

Makes it unlawful under new GS 90-21.96 for an individual or entity to geofence (defined as technology that uses global positioning coordinates, cell tower connectivity, cellular data, radio frequency identification, Wi-Fi data, or any other form of spatial or location detection to establish a virtual boundary around a specific physical location or to locate a consumer within a virtual boundary) within a one-mile radius of any healthcare facility that performs abortions if it used for any one of three specified purposes.

Part IX.

Appropriates \$500,000 in nonrecurring funds from the General Fund to the Department of Health and Human Services for 2024-25 to implement and promote awareness of these changes in reproductive health services laws. Requires that the funds be allocated for public education campaigns, training healthcare professionals, ensuring access to safe and legal abortion services, and protecting the privacy of individuals seeking reproductive health services. Effective July 1, 2024.

Part X.

Includes a severability clause.

Intro. by Batch, Smith, Grafstein.

APPROP, GS 14, GS 66, GS 90, GS 99D

View summary

Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

S 851 (2023-2024) KEEP TRANQ OFF OUR STREETS. Filed May 2 2024, AN ACT TO ADD XYLAZINE TO THE LIST OF SCHEDULE III CONTROLLED SUBSTANCES AND TO APPROPRIATE MONEY TO EFFECTUATE THAT PURPOSE.

Amends GS 90-91 by adding xylazine to the list of Schedule III controlled substances.

Appropriates \$100,000 for 2024-25 from the General Fund to the Department of Health and Human Services for enforcement.

Effective December 1, 2024.

Intro. by Grafstein, Batch, Garrett.

APPROP, GS 90

View summary

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Public Health S 856 (2023-2024) MODIFY EMERGENCY JUDGE PROVISIONS. Filed May 2 2024, *AN ACT TO EXPAND THE REASONS FOR WHICH AN EMERGENCY JUDGE MAY BE ASSIGNED*.

Amends GS 7A-52 by expanding the reasons an emergency judge can be assigned to include when the chief district court judge determines there is a court coverage need.

Appropriates \$500,000 for 2024-25 from the General Fund to the Administrative Office of the Courts to pay for the cost of emergency judges.

Intro. by Mohammed.

APPROP, GS 7A

View summary

Courts/Judiciary, Court System, Administrative Office of the Courts, Government, Budget/Appropriations

S 858 (2023-2024) BLUE RIBBON TASK FORCE/SEWER INFRASTRUCTURE. Filed May 2 2024, AN ACT TO ESTABLISH THE BLUE RIBBON TASK FORCE ON WASTEWATER INFRASTRUCTURE DEVELOPMENT IN NORTH CAROLINA.

Includes whereas clauses.

Establishes an 18-member Blue Ribbon Task Force on Wastewater Infrastructure Development in North Carolina (Task Force), to (1) review and assess the current state of wastewater infrastructure in the State; (2) develop strategies and plans for the effective implementation of wastewater treatment projects, for addressing existing challenges and barriers to project financing and construction, and for addressing future needs within the State; and (3) to identify funding mechanisms, including potential contributions from industrial wastewater discharges, to support wastewater infrastructure development. Sets out membership requirements and appointing authority; co-chair appointment process; meeting requirements; staffing requirements; and provisions for per diem, subsistence, and travel allowances.

Requires the Task Force to consult with the Department of Commerce, Economic Development Partnership of North Carolina, Utilities Commission, and Golden LEAF Foundation.

Authorizes Task Force meetings to begin on or after July 1, 2024. Requires a final report on the study to the specified NCGA committee by December 1, 2026. Terminates the Task Force upon the earlier of December 1, 2026, or the filing of the final report.

Appropriates \$10,000 in recurring funds for 2024-25 from the General Fund to support the Task Force.

Intro. by Grafstein, Batch, Garrett.

APPROP, STUDY

View summary

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Commerce, Public Enterprises and Utilities

S 860 (2023-2024) EMPOWER SMALL/SOCIALLY DISADVANTAGED FARMERS. Filed May 2 2024, AN ACT TO EMPOWER SMALL AND SOCIALLY DISADVANTAGED FARMERS IN NORTH CAROLINA.

Sets out findings and the purpose of the act related to the loss of land farmed by small and socially disadvantaged farmers and a drop in the number of those farmers.

Enacts new Article 61B, Small and Socially Disadvantaged Farmers Grant Program (Grant Program), in GS Chapter 106. Sets out and defines terms used in the Article, including the following. Defines an eligible individual as a State resident who is at least 21 years old, is a small farmer or socially disadvantaged farmer, and has an annual income from farming operations for the preceding taxable year of at least \$1,000 or more. Defines a small farmer as one with a gross cash farm income of \$250,000 or less. Defines a socially disadvantaged farmer as one who is a member of a socially disadvantaged group (group of people

whose members have been subject to racial or ethnic prejudice because of their identity as a member a group without regard to their individual qualities).

Establishes the Grant Program within the Department of Agriculture and Consumer Services (DACS) which will provide grants from the new Socially Disadvantaged Farmer Restoration Fund (Fund). Grants are for essential inputs, equipment, and operation improvements of the eligible individual's farming operations. Sets out grant restrictions and procedures, with funding priorities and amounts set by the Commissioner of Agriculture and Consumer Services. Requires the establishment of an advisory committee to monitor the Grant Program. Requires DACS to adopt rules to carry out the Article.

Appropriates \$10 million in recurring funds for 2024-25 from the General Fund to DACS, to be allocated to the Grant Program. Allows DACS to retain up to 3% of the funds for administrative costs.

Effective July 1, 2024.

Intro. by Smith, Batch.

APPROP, GS 106

View summary

Agriculture, Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services

S 866 (2023-2024) WETLANDS PROTECTION AND RESTORATION ACT. Filed May 2 2024, AN ACT TO PROTECT AND RESTORE WETLANDS IN NORTH CAROLINA.

Effective July 1, 2024, establishes a Wetlands Restoration and Protection Fund (Fund) in the Department of Environmental Quality (DEQ). Appropriates \$15 million in recurring funds for the 2024-2025 fiscal from the General Fund to DEQ to establish the Fund. Specifies that the Fund can consists of contributions from public or private sources in addition to appropriations from the General Fund. Lists four purposes for the Fund, including wetland restoration, purchase of conservation easements, public awareness campaigns, and enforcement of wetlands protections laws. Designates \$5 million of the appropriation for wetlands monitoring and research initiatives. Requires DEQ to submit an an initial report by September 1, 2025, and annually thereafter to the specified NCGA committee and division on the Fund's activities, and include at minimum, four listed elements, including the beginning and ending balances for the Fund for the fiscal year.

Repeals Section 54 of S.L. 2014-120 and Section 4.18 of S.L. 2015-286 (amending certain wetlands regulations pertaining to isolated wetlands).

Amends GS 143-212 (definitions pertaining to pollution control) to define *isolated wetland* as (2) wetlands confirmed to be isolated by the US Army Corps of Engineers prior to June 22, 2020, and (2) wetlands described as isolated in the North Carolina Wetland Assessment User Manual prepared by the North Carolina Wetland Functional Assessment Team, version 4.1, October 2010. Defines *wetland* as waters that are areas that are inundated or saturated by an accumulation of surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Amends definition of *waters* to include *wetland*.

Intro. by Batch, Smith, Grafstein.

APPROP, GS 143

View summary

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR)

S 867 (2023-2024) SUPERINTENDENT OF PUBLIC INSTRUCTION MIN REQS. Filed May 2 2024, AN ACT TO ESTABLISH CERTAIN MINIMUM EXPERIENCE REQUIREMENTS TO HOLD THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

Amends GS 115C-18 (pertaining to election for Superintendent of Public Instruction) to specify that in order to hold office the individual must have at least one year of experience either as a teacher or school administrator in the State or as member of a

local board of education or the State Board of Education (Board). Makes organizational changes and creates headings to conform to those changes.

Appropriates \$10,000 from the General Fund to the State Board of Elections in nonnrecurring funds for the 2024-2025 fiscal year to ensure the qualification of candidates as outlined above. Specifies that funds do not revert, but instead remain available to be used for purposes consistent with the act.

Applies to candidates who have been selected to serve as a political party's candidate for election on or after the act becomes law.

Intro. by Chaudhuri.

APPROP, GS 115C

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, Elections, State Agencies, State Board of Education, State Board of Elections

S 870 (2023-2024) FLAGS AT EVERY SCHOOL. Filed May 2 2024, AN ACT TO REQUIRE AND FUND THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS ON PUBLIC SCHOOL GROUNDS AND IN EVERY PUBLIC SCHOOL CLASSROOM.

Amends GS 115C-47 to require local boards of education to adopt policies for the display of the US and State flags on school grounds near the main entrance to each school and in each classroom (was, in only in each classroom when available). Makes those same changes to: GS 115C-150.12C (applicable to schools for the deaf and blind); GS 115C-218.80 (applicable to charter schools); GS 116-69.1 (applicable to the UNC School of the Arts); and GS 116-235 (applicable to the North Carolina School of Science and Mathematics—further amends the statute to specify that instruction in the meaning and history of the flag and pledge must be age-appropriate).

Amends GS 115C-238.66 and GS 116-239.8 to require regional schools and laboratory schools to display the US and NC flags on school grounds near the man entrance to the school and in each classroom; recite the Pledge of Allegiance daily; and provide age-appropriate instruction on the meaning and origins of the flag and pledge. Prohibits a compelling a person to stand, salute the flag, or recite the pledge.

Appropriates \$1 million in nonrecurring funds for 2024-25 from the General Fund to the Department of Public Instruction and \$100,000 in recurring funds for 2025-26 to allocate to public schools for the purchase of flags.

Appropriates \$1,000 in recurring funds for 2024-25 from the General Fund to the UNC Board of Governors to be allocated to the secondary schools it controls for the purchase of flags.

Applies beginning with the 2024-25 school year.

Intro. by Settle.

APPROP, GS 115C, GS 116

View summary

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, UNC System, Department of Public Instruction

S 871 (2023-2024) RIGHT TO TRY INDIVIDUALIZED TREATMENTS. Filed May 2 2024, AN ACT TO PROVIDE ELIGIBLE PATIENTS THE RIGHT TO TRY INDIVIDUALIZED INVESTIGATIONAL DRUGS, BIOLOGICAL PRODUCTS, AND DEVICES TO TREAT LIFE-THREATENING OR SEVERELY DEBILITATING ILLNESSES AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Identical to H 1029, filed 5/2/24.

Adds new Part 3, Individualized Treatments, to Article 23A of GS Chapter 90, providing as follows.

Allows a manufacturer operating within an eligible facility and in accordance with federal laws to make available to an eligible patient, and an eligible patient may request, the manufacturer's individualized investigational drug, biological product, or device. Specifies that this does not require the manufacturer to make the item available. Allows such a manufacturer to provide the individualized investigational drug, biological product, or device to an eligible patient for free or may require the patient to pay the costs of, or the costs associated with, the manufacture of the individualized investigational drug, biological product, or device.

Defines an eligible patient as an individual who meets all of the following: (1) has a life-threatening or severely debilitating illness, attested to by a treating physician; (2) has, in consultation with a treating physician, considered all other treatment options currently approved by the US Food and Drug Administration; (3) has received a recommendation from the treating physician for use of an individualized investigational drug, biological product, or device for treatment of the life-threatening or severely debilitating illness; (4) has given informed consent in writing (as defined) to use of the individualized investigational drug, biological product, or device for treatment of the life-threatening or severely debilitating illness or, if the individual is a minor or is otherwise incapable of providing informed consent, the parent or legal guardian has given informed consent in writing to use of the individualized investigational drug, biological product, or device; and (5) has documentation from the treating physician that the individual meets all of the criteria for this definition. Defines an eligible facility as any institution operating under Federalwide Assurance for the Protection of Human Subjects in accordance with 45 C.F.R. § 46 and 42 U.S.C. § 289(a). Defines individualized investigational drug, biological product, or device as a drug, biological product, or device that is unique and produced exclusively for use for an individual patient, based on their own genetic profile, including individualized gene therapy antisense oligonucleotides and individualized neoantigen vaccines.

Provides that if a patient dies during treatment with the investigational drug, biological product, or device, their heirs are not liable for any outstanding debt related to the treatment.

Prohibits taking disciplinary action against a licensed health care provider, or action against their Medicare certification, based solely on their recommendation to an eligible patient regarding access to or treatment with the individualized item.

Prohibits State officials, employees, or agents from blocking or attempting to block an eligible patient's access to an individualized investigational drug, biological product, or device. Also prohibits bringing a private right of action against a manufacturer, or against any other person or entity involved in the patient's care for any harm resulting from use of the individualized investigational drug, biological product, or device as long as the manufacturer or other person or entity has made a good-faith effort to comply with the provisions of this Part and has exercised reasonable care in actions undertaken pursuant to this Part.

Effective October 1, 2024.

Appropriates \$50,000 for 2024-25 from the General Fund to the Department of Health and Human Services to implement the act. Effective July 1, 2024.

Intro. by Sawrey.

APPROP, GS 90

View summary

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

S 872 (2023-2024) FAILURE TO STOP FOR SCHOOL BUS/EVIDENCE. Filed May 2 2024, AN ACT AUTHORIZING THE USE OF SCHOOL BUS CAMERA RECORDED IMAGES AS PRIMA FACIE EVIDENCE DEMONSTRATING A FAILURE TO STOP FOR A SCHOOL BUS AND APPROPRIATING FUNDS FOR THE INSTALLATION AND OPERATION OF SCHOOL BUS CAMERAS.

Amends GS 20-217 (concerning failures of motor vehicles to stop for properly marked and designated school buses) to allow recorded images from a school bus safety camera showing that a school bus was stopped and was displaying its mechanical stop signal or flashing red lights as prima facie evidence that (1) the school bus was stopped for the purpose of receiving or

discharging passengers and (2) the school bus was equipped and marked in compliance with this statute. Applies to offenses committed on or after December 1, 2024.

Appropriates \$1 million from the General Fund to the Department of Public Instruction in nonrecurring funds for the 2024-2025 fiscal year to be allocated to local school administrative units to purchase and install automated school bus cameras. Effective July 1, 2024.

Intro. by Hise.

APPROP, GS 20

View summary

Courts/Judiciary, Evidence, Motor Vehicle, Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction

S 873 (2023-2024) END BOOK BANS ACT. Filed May 2 2024, AN ACT TO ESTABLISH A RIGHT TO APPEAL THE BANNING OF INSTRUCTIONAL MATERIAL IN PUBLIC SCHOOL UNITS.

Recodifies GS 115C-98(b1) (pertaining to media advisory committees advised by local boards of education) as GS 115C-76.45 (now titled restricting use of instructional material), with the following changes.

Removes the provision concerning initial challenges to media by community media advisory committees. Instead, allows parents, teachers, and members of the public to challenge textbooks and supplementary instructional materials on the grounds that they are educationally unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the students. Provides for the challenge to be submitted to the superintendent or designee, who will then decide if the material will be removed. If material is prohibited, allows for an appeal to the local board of education if at least 4% of the parents of children attending school request the appeal. Provides for appeal to the local board of education who can only overturn the decision by 2/3 majority vote. Allows local boards to establish community media advisory committees (CMAC) to investigate and evaluate appeals. Provides for further appeal to State Board of Education (Board), which is not subject to judicial review. Requires the Board to establish guidelines for CMAC's. Specifies that appeals to removals of instructional materials on the basis that the material relates to or includes the study of the role and contributions of any individual or group that is part of a protected class under federal law are prohibited unless the material is discriminatory or contains bias against the protected class. Makes conforming changes to GS 115C-12 (powers and duties of the Board).

Appropriates \$100,000 from the General Fund to the Department of Public Instruction in nonrecurring funds for the 2024-2025 fiscal year to develop and distribute guidance to public school units about the provisions of the act and enforcement.

Effective July 1, 2024, and applies beginning with the 2024-25 school year.

Intro. by Grafstein, Batch, Garrett.

APPROP, GS 115C

View summary

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

S 875 (2023-2024) TOTAL MATERNAL CARE ACT. Filed May 2 2024, AN ACT ENACTING THE NORTH CAROLINA MOMNIBUS ACT OF 2024.

Includes whereas clauses.

Part I.

Requires the Department of Health and Human Services (DHHS) to establish and operate a Maternal Mortality Prevention Grant Program (grant program) to award grants to eligible entities to establish or expand programs for the prevention of maternal mortality and severe maternal morbidity among black women. Requires applicants to be community-based organizations offering programs and resources aligned with evidence-based practices for improving maternal health outcomes for black women. Requires DHHS, beginning July 1, 2024, to conduct outreach to encourage eligible applicants to apply and provide application assistance. Awards grants with amounts ranging from \$10,000 to \$50,000. Sets out criteria to be considered when awarding the grants. Sets out the types of technical assistance DHHS must provide. Requires DHHS to report to the specified NCGA committee and division by October 1, 2026; sets out issues to be addressed in the report. Sets the grant program to expire on June 30, 2026.

Appropriates the following from the General Fund to DHHS, Division of Public Health, for 2024-25: (1) \$93,513 in nonrecurring funds to establish a time limited, full-time Public Health Program Coordinator IV position to provide application assistance and technical assistance to recipients, and prepare the required report and (2) \$495,500 in nonrecurring funds to be allocated to the Maternal Mortality Prevention Grant Program. Allows up to 10% of these funds to be used for administrative purposes related to the grant program. Authorizes DHHS to hire one full-time, time-limited Public Health Program Coordinator IV position. Effective July 1, 2024.

Part II.

Enacts new GS 130A-33.62, providing as follows. Requires DHHS, in collaboration with (1) community-based organizations led by black women that serve primarily black birthing people and (2) a historically black college or university or other institution that primarily serves minority populations to create or identify an evidence-based implicit bias training program (training program) for health care professionals involved in perinatal care (the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods). Sets out 12 minimum components of the training program, including identification of previous or current unconscious biases and misinformation; identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion; corrective measures to decrease implicit bias at the interpersonal and institutional levels; and information about how to communicate more effectively across identities. Requires all health care professionals to complete the training program, specifying deadlines for completion depending on whether the individual is licensed before or after January 1, 2024. Requires proof of completion for license/registration/accreditation/certification renewal. Defines a health care professional as a licensed physician or other health care provider licensed, registered, accredited, or certified to perform perinatal care and regulated under the authority of a health care professional licensing authority. Encourages DHHS to seek opportunities to make the training program available to all health care professions and to promote its use among four specified types of providers and programs. Requires DHHS to collect specified information related to maternal mortality to inform ongoing improvements to the training program.

Enacts GS 130A-33.63 specifying that a patient getting care at a perinatal care facility (a hospital, clinic, or birthing center providing perinatal care in the state) has six listed rights, including: to be informed of continuing health care requirements following discharge; to actively participate in decisions regarding the patient's medical care and the right to refuse treatment; and to receive care and treatment free from discrimination on the basis of age, race, ethnicity, color, religion, ancestry, disability, medical condition, genetic information, marital status, sex, gender identity, gender expression, sexual orientation, socioeconomic status, citizenship, nationality, immigration status, primary language, or language proficiency. Requires perinatal care facilities to provide patients upon admission with a written copy of the rights.

Appropriates \$50,000 in recurring funds for 2024-25 from the General Fund to DHHS, Division of Public Health, to establish and administer the training.

Part III.

Appropriates \$550,000 for 2024-25 from the General Fund to the UNC Board of Governors for recruiting, training, and retaining a diverse workforce of lactation consultants in North Carolina by supporting the infrastructure and sustainability of lactation consultant training programs at Historically Black Colleges and Universities located within the State, to be distributed equally between North Carolina Agricultural & Technical State University and Johnson C. Smith University to cover costs of administering a lactation training program, including specified costs that include student aid. Requires the DHHS Office of Minority Health and Health Disparities to give technical assistance to those two schools concerning developing training content, recruitment from historically marginalized populations to enroll, recruitment of historically underutilized providers to serve as teachers and preceptors, and identifying rural and medically underserved areas of the State experiencing a shortage of lactation consultants in order to recruit program graduates to work in these areas. Requires a report by May 1, 2027, to the specified NCGA committees on the benefits the state received due to the funding of the training programs. Sets out items that must be included in the report. Effective July 1, 2024.

Part IV.

Requires the DHHS, Division of Public Health, to establish and administer a statewide, evidence-based stillbirth prevention program, Count the Kicks, that provides educational resources to healthcare providers, community health workers, and expectant parents on the importance of, and methods for, tracking fetal movement. Effective July 1, 2024, appropriates \$2 million in recurring funds for 2024-25 from the General Fund to the Division of Public Health, to be allocated to the Count the Kicks program. Sets out purposes for which the funds may be used. Requires reports to the specified NCGA committee and division as follows: (1) by September 1, 2025, report on the implementation status of the program and (2) annually on September 1, beginning in 2026, report on the status and operation of the program. Sets out items that must be included in the reports.

Intro. by Smith, Batch.

APPROP, GS 130A

View summary

Education, Higher Education, Government,
Budget/Appropriations, State Agencies, UNC System,
Department of Health and Human Services, Health and
Human Services, Health, Health Care Facilities and Providers,
Public Health

S 876 (2023-2024) QRIS MODERNIZATION. Filed May 2 2024, AN ACT TO IMPLEMENT STAR-RATING SYSTEM REFORM BY AUTHORIZING THE NORTH CAROLINA CHILD CARE COMMISSION TO ADOPT RULES FOR REFORM, HOLD HARMLESS CHILD CARE FACILITIES WHILE THE COMMISSION IMPLEMENTS STAR-RATING SYSTEM REFORM, AND APPROPRIATE FUNDS FOR ADMINISTRATIVE COSTS ASSOCIATED WITH IMPLEMENTING STAR-RATING SYSTEM REFORM.

Requires the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (Division), to update and revise the quality rating improvement system (QRIS) so that it includes alternative pathways for licensed child care facilities to earn a license of two to five stars based on program standards and education levels of staff as follows: (1) a pathway focused on program assessment; (2) a pathway focused on classroom and instructional quality; (3) a pathway focused on accreditation; and (4) any other pathway regarding updating the QRIS designated by the North Carolina Child Care Commission (Commission).

Allows a child care facility to request to be awarded a star-rated license based on accreditation from a national childhood education accreditation organization if the facility maintains its accreditation and remains in good standing. Sets out provisions governing the issuance of these licenses based on whether the license is three or five-star rated. For those earning less than five stars, there must be additional opportunities for the facility to increase its star rating. Allows the Commission to reassess an accreditations' star-rating equivalency or change a rating, or approve additional accreditations from national organizations and determine the equivalency on request. Prohibits the Division from requiring facility with a two- to five-star-rated license to undergo a QRIS reassessment until rules implementing QRIS reform become effective. Effective February 1, 2025, requires that if the Division issues any new license with a rating of two to five stars to a child care facility or any facility that elects to undergo a QRIS assessment based on a program assessment before rules implementing QRIS reform become effective, then the facility must be evaluated using the specified scales. Provides that when the Division issues any new license with a rating of two to five stars to a child care facility or any facility that elects to undergo a QRIS assessment before rules implementing QRIS reform become effective, if the percentage of lead teachers in the facility required to meet the "rated licensed education requirements" criteria is set at 75% for the facility to earn those "education points" toward the facility's star rating, then the Division must lower the threshold to 50% of lead teachers. These provisions expire on the date rules implementing QRIS reform become effective.

Amends GS 110-90 by amending the Secretary of Health and Human Services' powers to issue a license to any child care facility, by requiring that for any facility with a license of two to five stars or any new license issued to a facility with a rating of two to five stars, the rating must be based on program standards and education levels of staff. Sets out factors that must be considered when evaluating program standards and education levels of staff. Also requires providing licensed facilities with a rating of two to five stars with an opportunity to earn recognition for voluntary participation in other quality initiatives or specialties. Makes other conforming and technical changes.

Requires the Commission to adopt, amend, or repeal any rules regarding star-rating reform necessary to implement this act.

Appropriates \$500,000 in recurring funds for 2024-25 from the General Fund to the Division for the administration of this act. Effective July 1, 2024.

Intro. by Krawiec, Burgin, Corbin.

APPROP, GS 110

View summary

Education, Preschool, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services

S 879 (2023-2024) PA LICENSURE INTERSTATE COMPACT. Filed May 2 2024, AN ACT TO ESTABLISH A PA LICENSURE COMPACT FOR THE LICENSURE OF PHYSICIAN ASSISTANTS.

Enacts new Article 18J, Physician Assistant Licensure Compact (PA Compact), to GS Chapter 90. States the purpose of the PA Compact and sets forth 22 defined terms, including *adverse action* (any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a Licensing Board or other authority against a PA License or license application or compact privilege such as license denial, censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice), *qualifying license* (an unrestricted license issued by a participating state to provide medical services as a PA), *remote state* (a participating state where a licensee who's not licensed is seeking to exercise compact privileges), and *significant investigative information* (investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the PA to respond if required by state law, has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction).

Lists eight requirements for a State to participate in the PA Compact, including that it licenses PAs who have, amongst other things, passed a nationally recognized exam; conducts certain background checks; and grants PA compact privileges to qualifying licensees from participating states. Specifies that participating states may charge a fee for granting PA Compact privileges. Adds new GS 90-270.203, listing 12 requirements a licensee must meet to be granted compact privileges, including graduation from certain PA programs, certifications, holding a qualifying license, and no felony or misdemeanor convictions along with other background qualifiers. Specifies that compact privileges are valid until the expiration or revocation of the licensee's qualifying license. Directs that if the participating state in the PA Compact where the licensee is licensed takes adverse action (defined), then the licensee's compact privileges in any remote state in which they have privileges are lost until the license is no longer limited or restricted and two years have elapsed from the date that the license became no longer limited or restricted and the licensees again meets the 12 requirements for compact privileges in GS 90-270.203(a). Requires that, for each remote state where a PA seeks authority to prescribe controlled substances, the PA must satisfy all requirements imposed by the state in granting or renewing such authority.

Adds new GS 90-270.204, requiring that the licensee identify the participating state where they are applying along with (1) the address of their primary residence, (2) requirement to immediately report any changes of primary residence, and (3) the licensee consents to service of process at their primary residence.

Adds new GS 90-270.205, pertaining to adverse actions. Designates the participating state where the PA is licensed with exclusive power to impose adverse action against the PA's qualifying license issued by that state. Lists four things that remote states have the authority to do, including taking adverse action against a PA's compact privilege or other action necessary to protect the health and safety of its citizens. Requires the licensee's participating state to give priority and effect to reported conducted received from any other participating state as if the conduct occurred in the participating state itself. Requires the participating state to apply its own laws to determine appropriate action. Allows participating states to recover costs of investigation and disposition of cases from licensees subject to an adverse action. Allows for adverse actions by participating states based on factual findings of a remote state. Provides for joint investigations by participating and remote states. Specifies that if an adverse action is taken against the qualifying license then the PA's compact privileges in all remote states are deactivated until two years have elapsed after all restrictions have been removed from the license. Provides for a disciplinary order and notice by the participating state to the administrator of the data system established under GS 90-270.207.

Adds new GS 90-276.206, establishing a PA Licensure Compact Commission (Commission), a joint government agency and national administrative body. Provides for Commission membership; voting; meetings; powers and duties; an executive

committee; financing; recordkeeping; and member-qualified immunity, defense, and indemnification. Among the 23 powers and duties charged of the Committee, includes establishing a code of ethics, prosecuting legal proceedings and actions so long as the standing of any state licensing board to sue or be sued under applicable law is not affected, and the acquisition and disposal of property. Provides for Commission rulemaking procedures and effect, including a participating state challenge of a Commission rule if it conflicts with the state's law pertaining to medical services that a PA may perform in the state and rejection of a rule by a majority of participating state legislatures.

Adds new GS 90-270.207, requiring the Commission to establish a coordinated database and reporting system containing licensure, adverse action, and the reporting of the existence of significant investigative information on all licensed PAs and applicants denied a license in participating states. Designates information provided to a participating state from the database is an authenticated business record entitled to a hearsay exception in any relevant judicial, quasi-judicial, or administrative proceeding in a participating state when certified by the Commission or an agent thereof.

Adds new GS 90-270.209, detailing oversight of the PA Compact by the executive and judicial branches in each participating state, dispute resolution procedures between member states, and PA Compact enforcement by the Commission. Provides for member state default grounds and procedures, member termination procedures, and dissolution. Provides for venue and available remedies in legal action against the Commission. Specifies that only a participating state can enforce the PA Compact against the Commission. Adds new GS 90-270.210, that provides for the Compact to become effective upon enactment in the seventh member state and withdrawal procedures by member states. Requires the Commission to review all participating state charters once the PA Compact becomes effective to ensure they are all in compliance with the model compact. Allows for a participating state to default if its compact is materially in conflict with the model compact.

Deems the provisions of the PA Compact severable and advises on its construction and effect on other laws.

Makes conforming changes to GS 90-9.3 (requirements for licensure as a physician assistant).

Effective October 1, 2024.

Intro. by Hise.

GS 90

View summary

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

S 880 (2023-2024) NO DEEPFAKES IN ELECTION COMMUNICATION. Filed May 2 2024, AN ACT PROHIBITING THE USE OF FRAUDULENT DEEPFAKES IN ELECTION COMMUNICATIONS AND APPROPRIATING FUNDS FOR ENFORCEMENT.

Enacts new Article 26, Deceptive and Fraudulent Deepfakes in Election Communication, in GS Chapter 163, providing as follows.

Prohibits a person, corporation, committee, or other entity from, within 90 days of an election at which a candidate for elective office will appear on the ballot, distributing a synthetic media message that they know or should have known is a deceptive and fraudulent deepfake of a candidate or political party on the State or local ballot. Defines *deceptive and fraudulent deepfake* as any synthetic media (as defined) that depicts a candidate or political party with the intent to injure the reputation of the candidate or party or otherwise deceive a voter that: (1) appears to a reasonable person to depict a real individual saying or doing something that did not actually occur in reality or (2) provides a reasonable person a fundamentally different understanding or impression of the appearance, action, or speech than a reasonable person would have from an unaltered, original version of the image, audio recording, or video recording. Provides that the prohibition does not apply if the audio or visual medial includes a disclosure that meets the stated requirements.

Allows aggrieved candidates to seek injunctive or other equitable relief prohibiting the publication of the deceptive and fraudulent deepfake. Allows a person to be held liable by the State Board of Elections for civil penalties for violations; sets out the applicable fines. Sets out exclusions for radio and television stations: (1) that broadcast a prohibited deepfake as part of a bona fide newscast, news interview, news documentary, or on the spot coverage of bona fide news events, if the broadcast clearly acknowledges that there are questions about the authenticity of the materially deceptive audio or visual media or (2) when they are paid to broadcast a deepfake and have made a good-faith effort to establish the depiction is not a deceptive and

fraudulent deepfake. Excludes a website, or a regularly published newspaper, magazine, or other periodical of general circulation that routinely carries news and commentary of general interest, and that publishes prohibited materially deceptive audio or visual media, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate. Excludes satire or parody.

Includes a severability clause. Requires the proceeds of civil penalties to be remitted to the Civil Penalty and Forfeiture Fund.

Effective July 1, 2024, appropriates \$100,000 for 2024-25 from the General Fund to the State Board of Elections to enforce this act.

Intro. by Salvador, Robinson, Meyer.

APPROP, GS 163

View summary

Government, Budget/Appropriations, Elections, State Agencies, State Board of Elections

S 881 (2023-2024) RESTORE THE AMERICAN DREAM. Filed May 2 2024, AN ACT TO EXPAND MIDDLE-CLASS HOUSING BY PROVIDING CURRENT AND ONGOING FUNDING FOR THE HOUSING TRUST FUND.

Contains whereas clauses. Appropriates from the General Fund to the North Carolina Housing Trust Fund (Fund), established under GS 122E-3, \$30 million in nonrecurring funds for the 2024-2025 fiscal year to be used in accordance with the purposes provided in GS Chapter 122E. Amends GS 161-11.5(2) (concerning the crediting of fees remitted to the State Treasurer to the General Fund) to reduce the percentage of those fees from 20% of the monthly fees collected by the register of deeds remitted to the State Treasurer to 18.5%. Reallocates that 1.5% to the Fund. Amends GS 105-228.30 (distribution of proceeds of excises taxes pertaining to real property), to require the Department of Revenue (Department) to credit 33% of the funds remitted to the Department under GS 105-228.30(b) to the Trust, with the remaining credited to the General Fund. Effective July 4, 2024.

Intro. by Smith, Batch, Garrett.

APPROP, GS 105, GS 161

View summary

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, State Agencies, Department of Revenue, Department of State Treasurer

S 883 (2023-2024) INCREASED SECURITY - NONPUBLICS & DAY CARES. Filed May 2 2024, AN ACT TO ENHANCE SAFETY IN NONPUBLIC SCHOOLS BY REQUIRING SECURITY DRILLS; TO ENHANCE SAFETY IN DAY CARE CENTERS BY REQUIRING SECURITY DRILLS; TO ENHANCE SAFETY IN ADULT DAY CARE AND ADULT DAY HEALTH PROGRAMS BY REQUIRING THE DEVELOPMENT AND IMPLEMENTATION OF EMERGENCY LOCKDOWN PROCEDURES; AND APPROPRIATING FUNDS TO SUPPORT IMPLEMENTATION AND ENFORCEMENT OF THESE REQUIREMENTS.

Recodifies GS 115C-551(b) as GS 115C-550.5 and makes the following changes. Requires, instead of encouraging, private church schools to take the already delineated actions regarding adoption of a school risk management plan, providing schematic diagrams and keys to local law enforcement, holding lockdown exercises, and providing specified safety information to the Division of Emergency Management.

Recodifies GS 115C-559(b) as GS 115C-558.5 and makes the following changes. Requires, instead of encouraging, nonprivate schools to take the already delineated actions regarding adoption of a school risk management plan, providing schematic diagrams and keys to local law enforcement, holding lockdown exercises, and providing specified safety information to the Division of Emergency Management.

Applicable beginning with the 2024-25 school year.

Enacts new GS 110-111 requiring licensed child care facilities to develop an Emergency Preparedness Plan, including requiring each facility to hold a full facility-wide lockdown exercise with local law enforcement at least annually.

Enacts new GS 131D-6.2 providing as follows. Sets out NCGA findings and the purpose of the statute. Requires certified adult day care and adult day health programs to develop and implement a lockdown protocol. Requires the Social Services Commission to adopt rules to implement this requirement, which must contain three specified elements, including a requirement to conduct periodic lockdown drills at least once annually. Defines *lockdown*. Allows imposing a penalty not to exceed \$1,000 for violations, with proceeds to go to the Civil Penalty and Forfeiture Fund. Specifies that this does not create or authorize a private right of action.

Appropriates \$100,000 in recurring funds for 2024-25 from the General Fund to the Department of Administration to be allocated to the Division of Nonpublic Education for implementation and enforcement of GS 115C-550.5 and GS 115C-558.5.

Appropriates \$100,000 in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services for implementation and enforcement of GS 131D-6.2.

Effective July 1, 2024.

Intro. by Batch, Grafstein, Chaudhuri.

APPROP, GS 110, GS 115C, GS 131D

View summary

Education, Preschool, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Administration, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services

S 889 (2023-2024) PROTECTING FIRST RESPONDERS ACT. Filed May 2 2024, AN ACT TO INCREASE THE PUNISHMENT FOR COMMITTING AN ASSAULT OR AFFRAY AGAINST CERTAIN EMERGENCY RESPONDERS AND TO CRIMINALIZE EXPOSING CERTAIN EMERGENCY RESPONDERS TO FENTANYL OR OTHER HARMFUL DRUG OR CHEMICAL AGENTS; TO APPROPRIATE NONRECURRING FUNDS TO THE DEPARTMENT OF PUBLIC SAFETY TO DISTRIBUTE AS GRANTS TO USE FOR EQUIPMENT TO PROTECT CERTAIN FIRST RESPONDERS; AND TO AMEND THE LABOR LAWS TO SET THE MINIMUM WAGES OF PARAMEDICS AND EMERGENCY MEDICAL TECHNICIANS AND REQUIRE FREE MENTAL HEALTH COUNSELING AND SUPPORT FOR THOSE EMPLOYEES.

Part I

Titles the act as the "Protecting First Responders Act" or the "PROFR Act."

Part II.

Amends GS 14-34.6 by increasing from a Class I to H felony the punishment for assault or affray causing physical injury on specified emergency responders and health care providers.

Enacts new GS 14-286.3 making it a Class H felony to unlawfully and intentionally possess fentanyl or other harmful drug or chemical agent and expose an emergency responder (as defined). Increases the felony to Class G when the emergency responder suffers serious bodily injury due to the exposure. Makes it a Class H felony if a person knows fentanyl or other harmful drugs or chemical agents are unlawfully present at a location an emergency responder is responding to and willfully fails to notify the emergency responder of its presence within a reasonable time prior to the emergency responder arriving at the location.

Applies to offenses committed on or after December 1, 2024.

Part III.

Appropriates \$10,350,000 for 2025-26 from the General Fund to the Department of Public Safety (DPS) to be distributed as grants to State and local government agencies employing paramedics and emergency medical technicians registered under the National Registry of Medical Technicians, to be used in specified amounts for the purchase of bulletproof vests and bulletproof backpack plates. Specifies that State and local government agencies with volunteer or contract paramedics or emergency medical technicians registered under NREMT may also apply for grants. Specifies that the funds do not revert until July 1, 2027. Effective July 1, 2024.

Part IV.

Makes the following changes to GS 95-25.3, effective July 1, 2024. Requires paramedics to be paid the higher of at least \$30 per hour or the minimum wage set in paragraph 1 of section 6(a) of the Fair Labor Standards Act. Requires emergency medical technicians to be paid the higher of at least \$26 per hour or the minimum wage in paragraph 1 of section 6(a) of the Fair Labor Standards Act.

Effective July 1, 2024, enacts new GS 95-28.5, requiring employers of one or more paramedics or emergency medical technicians, or both, to provide mental health counseling services to those employees at the employer's expense and establish a social support system for those employees. Requires counseling services to be accessible 24 hours per day, seven days per week.

Intro. by Alexander, Britt, Burgin.

APPROP, GS 14, GS 95

View summary

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Safety, Health and Human Services, Mental Health

S 892 (2023-2024) STUDENT VOTER ID GRANT PROGRAM/CCS. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS TO REQUIRE THE STATE BOARD OF COMMUNITY COLLEGES TO ESTABLISH THE STUDENT VOTER IDENTIFICATION GRANT PROGRAM AND TO ENCOURAGE COMMUNITY COLLEGES TO APPLY FOR GRANTS UNDER THE PROGRAM.

Appropriates \$500,000 from the General Fund to the Community Colleges System Office (Office) for 2024-25 for the State Board of Community Colleges to establish the Student Voter Identification Grant Program (program). States the purpose of the program is to provide grants of up to \$20,000 to upgrade equipment and facilities to produce student identification cards that can be used to vote in person pursuant to state law. Directs the State Board to develop an application procedure for community colleges and award grants by August 15, 2024, to any community college that submits a reasonable and timely plan for the expenditure of funds pursuant to the program. Limits eligibility to one grant per community college. Directs the Office to report to the specified NCGA committee by February 15, 2025, identifying recipients and the uses of grant awards.

Directs the State Board of Elections to review and approve applications of community colleges that are recipients of program awards for approval of their student identification cards to be used as photo identification cards, so long as the applications are submitted by September 1, 2024, and other application requirements of the State Board are met.

States legislative intent to encourage and support community colleges in providing student identification cards that can be used to vote in person.

Effective July 1, 2024.

Intro. by Marcus, Meyer, Hunt.

APPROP

View summary

Education, Higher Education, Government, Budget/Appropriations, Elections, State Agencies, Community Colleges System Office, State Board of Elections

S 897 (2023-2024) RURAL BROADBAND INITIATIVE ACT. Filed May 2 2024, AN ACT TO ESTABLISH THE RURAL BROADBAND INITIATIVE FUND TO ADVANCE RURAL BROADBAND INFRASTRUCTURE AND ENHANCE TECHNOLOGICAL ACCESSIBILITY FOR RURAL COLLEGES IN THE STATE.

Establishes the Rural Broadband Initiative Fund (Fund), administered by the Department of Information Technology (DIT) to award grants to eligible rural colleges in the State for specific projects to upgrade broadband infrastructure and related

expenditures. Directs DIT to establish criteria for awarding grants from the Fund that allocates funding on a per-pupil basis and sets a maximum grant amount. Lists 52 eligible rural colleges. Directs DIT to biannually report to the specified NCGA committee and division on use of funds in the Fund, project status, and challenges faced during project implementation.

Appropriates \$25 million to the Fund for 2024-25 to be used for the purposes described.

Effective July 1, 2024.

Intro. by Smith, Batch, Garrett.

APPROP

View summary

Education, Higher Education, Government,
Budget/Appropriations, State Agencies, Community Colleges
System Office, Department of Information Technology

S 898 (2023-2024) FUNDS/FORSYTH SHERIFF'S OFFICE RTIC. Filed May 2 2024, AN ACT TO APPROPRIATE FUNDS FOR THE FORSYTH COUNTY SHERIFF'S OFFICE REAL TIME INTELLIGENCE CENTER.

Appropriates \$500,000 from the General Fund to the Office of State Budget and Management for 2024-25 to provide a directed grant to the Forsyth County Sheriff's Office to increase camera capacity as described and create a specified personnel position at the Real Time Intelligence Center. Effective July 1, 2024.

Intro. by Lowe.

APPROP, Forsyth

View summary

Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Office of State Budget and Management

ACTIONS ON BILLS

No public actions on bills

No local actions on bills

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