

The Daily Bulletin: 2024-05-08

PUBLIC/HOUSE BILLS

H 198 (2023-2024) [DOT LEGISLATIVE CHANGES.-AB](#) Filed Feb 23 2023, *AN ACT TO MAKE CHANGES TO TRANSPORTATION LAWS, AS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION.*

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

Amends GS 136-44.2E(e) (instead of repealing it), concerning the Transportation Emergency Reserve (Reserve), by amending the reporting requirements to now require that no later than February 1, 2024, and annually thereafter for any year expenditures are made from the Reserve, that the Department of Transportation (DOT) submit a report summarizing expenditures; also expands upon the recipients of the report.

Further amends Section 34.13 of SL 2018-5 to allow DOT's pilot program for the construction of transportation projects on a construction manager-general contractor basis to consist of up to ten projects (was, eight in previous edition and five under existing law). Requires that to be eligible for the program the project's costs be less than \$750 million (was, \$500 million).

Amends Section 7 of SL 2018-16 by further extending the expiration of the Build NC Bond Act to December 31, 2031 (was, 2030 in the previous edition and 2028 in current law).

Repeals GS 142-97(2)a, which prohibited the State Treasurer from issuing any Build NC Bonds unless (1) the State Treasurer recommends the issuance of the Build NC Bonds and (2) the State Treasurer has made a determination that all of the specified requirements have been or shall be met. Makes conforming changes. Also requires that specified consultations happen three months (was, six months) before the expected date of the Build NC Bond issuance; expires January 1, 2025.

Makes the changes to GS 136-89.214 and GS 136-89.215, effective July 1, 2024, instead of 2023.

Amends the proposed changes to GS 136-82, concerning ferry priority boarding by removing the proposed limits on priority boarding. Changes the effective date of the changes to the statute from July 1, 2023, to July 1, 2024.

Changes the effective date of the proposed change to GS 105-164.44M from July 1, 2023, to 2024.

Further amends GS 143C-6-11 by requiring the DOT's monthly report include DOT's projected revenues and Spend Plan for the next 12 months (was, for the current fiscal year in the previous edition and next 18 months under current law).

Deletes proposed GS 136-93.03 and instead sets out an uncodified provision that requires DOT to study current fee authorizations, and their implementation, for driveway, subdivision, traffic impact analysis, and encroachment review permits, approvals, or certifications. Sets out what is to be included in the report which must be submitted by December 31, 2024, to the specified NCGA committee and division.

Changes the effective date of the repeal of Article 10 of GS Chapter 63, and related changes, from December 1, 2023, to 2024.

Amends GS 18B-108 to also allow malt beverages, unfortified wine, and fortified wine to be sold and delivered by any wholesaler or retailer licensed in this State to an officer or agent of a rail line that is at least 100 miles long and connects to the national rail network, in addition to the already authorized rail line that carries at least 60,000 passengers annually.

Amends Section 41.7 of SL 2027-134 by requiring DOT to designate specified bridges in Bladen, County for the specified deputy sheriffs and detention officer.

Removes the following content:

- Changes to Section 1.7(1) of SL 2019-251, concerning the use of Hurricane Dorian funding
- Proposed new GS 136-28.1A, concerning contracts for capital assets, technology, or services related to public transportation, bicycle, pedestrian, and related transportation modes

- Changes to GS 136-19.4, concerning registration of right-of-way plans
- Changes to GS 136-76.2, concerning the outsourcing of the bridge program
- Changes to Section 41.3 of SL 2021-180 and GS 142-97, concerning Build NC Bonds
- Repeal of Section 34.5, concerning DOT employee travel limits
- Repeal of Section 29.5A of SL 2015-241, concerning Board of Transportation travel limits
- Changes to GS 136-89.213, concerning turnpike bill collection
- Changes to GS 20-146.2, concerning tolling for travel in certain lanes
- Changes to GS 126-6.3, concerning exemption for the Ferry Division from the Temporary Solutions program
- Changes to GS 136-82, concerning priority boarding passes on the Hatteras-Ocracoke ferry for residents
- Pilot program authorizing automatic license plate readers in State rights-of-way, and statutory repeals and changes related to automatic license plate readers
- Changes to GS 136-12 and GS 136-11.1, concerning State Transportation Improvement Program reporting and consultation requirements
- Changes to GS 136-189.11, concerning the exclusion of federal ferry and terminal facilities construction program funds from the Transportation Investment Strategy Formula
- Changes to GS 136-189.11, concerning bicycle and pedestrian project State fund limitations
- Changes to GS 120C-550, concerning DOT liaison personnel
- Proposed new GS 136-44.40, concerning limitations on rail transportation liability for S-line acquisition
- Changes to GS 143-299.2 and GS 136-18, concerning insurance laws related to DOT
- Changes to GS 136-44.20 and GS 136-44.27 concerning eligibility of regional planning commission to apply for public transportation grants

Intro. by B. Jones, Shepard, McNeely, Tyson.

[APPROP, GS 63, GS 105, GS 136, GS 142, GS 143, GS 143C, GS 150B, GS 160A](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Motor Vehicle, Environment, Environment/Natural Resources, Government, APA/Rule Making, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Transportation, State Government, State Personnel, Tax, Local Government, Transportation](#)

H 917 (2023-2024) [GSC TECHNICAL CORRECTIONS 2024](#). Filed Apr 29 2024, *AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND SESSION LAWS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS.*

House committee substitute to the 1st edition adds the following content.

Repeals GS 1-18, which required that in an action in which the defense of adverse possession is relied upon, the time computed as constituting such adverse possession shall not include any possession had against a feme covert during coverture prior to February 13, 1899.

Amends GS 29-30, concerning a surviving spouse's election to take life interest instead of intestate share, by referring to the time of the marriage instead of coverture. Amends GS 50-11, concerning the effects of divorce, to also refer to the time of marriage instead of coverture. Amends GS 50-10, concerning contracts between a husband and wife to refer to the marriage instead of coverture. Makes additional clarifying changes.

Recodifies a portion of Section 5 of SL 2013-357 into GS 58-50-130 and makes the following changes. Amends the provision prohibiting an insurer from issuing a stop loss health insurance policy to a small employer who has an annual attachment point for claims incurred per individual that is lower than \$20,000 for plan years beginning in 2013, by requiring the Department of Insurance to make the indexed amount (was, make the amount of the specified attachment points) available to the public annually. Removes outdated language. Makes additional clarifying and technical changes.

Makes a technical change to Section 12 of SL 2015-281, specifying that GS 58-50-110 is being amended. Effective January 1, 2016.

Allows the Revisor of Statutes to recodify the definitions in GS 126-81 so that they are in alphabetical order and make conforming changes. Recodifies GS 131E-176(5a) as (5c).

Amends GS 135-6, concerning the Board of Trustees Teachers' and State Employees' Retirement System by removing provisions related to the Board's initial organization and requiring the Board to adopt rules (was, establish rules and regulations from time to time). Removes outdated language, including provisions concerning the creation of actuary tables and rates. Makes additional technical and clarifying changes.

Recodifies the last sentence of GS 150B-37(c) under GS 150B-34 and requires the Office of Administrative Hearings to forward a written copy of an administrative law judge's final decision or order (was, final decision) to the parties. Makes additional clarifying and technical changes. Amends GS 108A-70.9A to require the Office of Administrative Hearings, instead of the administrative law judge, to forward a written copy of the judge's decision to the Department and the recipient in accordance with GS 150B-34; makes conforming changes. Makes conforming changes to GS 108A-70.9B and GS 108D-16. Amends GS 90A-30, concerning penalties for violations of GS 90A-30, and GS 104E-24, concerning administrative penalties, by updating statutory cross-references and making additional clarifying and technical changes. Amends GS 122C-24, concerning adverse action on a license, by removing the provision concerning sharing the decision when an appeal is filed concerning the denial, suspension, amendment, or revocation of a license. Amends GS 122C-24.1, GS 131D-34, and GS 131E-129, concerning penalties, by making conforming and clarifying changes. Amends GS 143-215.94G by making clarifying and technical changes, and removing unnecessary language.

Amends GS 168-11 by making organizational changes that clarify the statute's language; also updates the name of an NCGA committee. Makes additional technical changes.

Amends the act's long title.

Intro. by Davis.

[GS 1, GS 7B, GS 14, GS 15, GS 29, GS 50, GS 52, GS 58, GS 90A, GS 104E, GS 108A, GS 108D, GS 110, GS 115C, GS 116, GS 121, GS 122C, GS 126, GS 128, GS 131D, GS 131E, GS 135, GS 143, GS 144, GS 150B, GS 153A, GS 160A, GS 160D, GS 168](#)

[Courts/Judiciary, Civil, Civil Procedure, Family Law, Juvenile Law, Delinquency, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Environment/Natural Resources, Government, APA/Rule Making, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of Military & Veterans Affairs, Local Government, Health and Human Services, Health, Health Insurance, Social Services, Child Welfare, Public Assistance, Transportation](#)

[View summary](#)

H 938 (2023-2024) [GSC MORAL TURPITUDE/OCCUPATIONAL LICENSURE](#). Filed Apr 30 2024, *AN ACT TO CLARIFY THE PROHIBITION ON DENYING LICENSURE BASED ON A DETERMINATION THAT A CONVICTION IS FOR A CRIME OF MORAL TURPITUDE, TO MAKE CORRESPONDING CHANGES TO OCCUPATIONAL AND STATE AGENCY LICENSURE STATUTES, AND TO MAKE OTHER TECHNICAL CORRECTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

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

Further amends GS 93B-1, which contains the definitions for GS Chapter 93B (Occupational Licensing Boards) by amending the professions for which the Department of Public Safety may issue licenses by allowing: (1) the Private Protective Services Board to issue licenses for Armored Car Service, Close Personal Protection, Courier Service, Digital Forensics Examiner, Electronic Countermeasures, and Special Limited Guard and Patrol (also removes Counter Intelligence licenses) and (2) the Alarm Systems Licensing Board to issue licenses for alarm systems business.

Amends the act's long title.

Intro. by Davis.

[GS 20](#), [GS 53](#), [GS 58](#), [GS 66](#), [GS 74D](#), [GS 78C](#), [GS 83A](#), [GS 85B](#), [GS 87](#), [GS 89C](#), [GS 90](#), [GS 90A](#), [GS 90B](#), [GS 93A](#), [GS 93B](#), [GS 93D](#), [GS 93E](#), [GS 106](#), [GS 143](#)

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

H 1069 (2023-2024) [COMM. COLLEGE FUNDING & TUITION SURCHARGE](#). Filed May 8 2024, *AN ACT TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO REVISE ITS FUNDING MODEL FOR COMMUNITY COLLEGES, TO ESTABLISH THE ENROLLMENT INCREASE RESERVE, AND TO PERMIT COMMUNITY COLLEGES TO ESTABLISH A LOCAL TUITION AND FEE SURCHARGE.*

Part I

Repeals Subsection 8.3(b) of SL 2011-145 (requiring the State Board of Community Colleges [SBCC] to allocate formula funds appropriated to support curriculum instruction and the occupational education component of continuing education in a certain way). Repeals Subsection 10.4(a) of SL 2013-360 (establishing community college funding as based on the number of full-time equivalent (FTE) students).

Requires the SBCC to revise the funding formula for community colleges and allocate funds accordingly, beginning with the 2024-25 fiscal year, according to the following minimum criteria: (1) each community college will continue to receive a base allocation of funds; (2) in addition to the base the base allocation of funds, funds shall be provided to community colleges based on the number of FTE students enrolled in the following: (i) curriculum, workforce continuing education, and Basic Skills courses and (ii) courses and programming conducted under the Customized Training Program and the Small Business Center Network; and (3) funds allocated according to prong two must be weighted based on the workforce sector of each course, as determined by the SBCC. In making its determinations, the SBCC, must consider salary data and labor market demand for the applicable workforce sector. Amends GS 115D-5 (administration of institutions by SBCC), to require the SBCC to review and revise, as necessary, its workforce sector designations for curriculum, workforce continuing education, and Basic Skills courses at community colleges by July 15, 2027, and every three years thereafter. Requires the Community Colleges System Office (Office), by April 1, 2026, to report to the specified NCGA committee on the revisions to its funding formula, including the structure of the revised formula, the process for implementing the revised formula, and any recommended changes to the revised formula. Appropriates \$93,019,556 from the General Fund to the SBCC for the 2024-25 fiscal year in recurring funds to implement the revisions to the funding formula required above.

Part II

Amends GS 115D-31(state financial support of institutions),when receipts for community college tuition and fees exceed the amount certified in General Fund Codes at the end of a fiscal year, to allow SBCC to allocate those receipts to the community colleges for operating costs according to a formula adopted by the SBCC (currently, requires the SBCC to transfer the amount of receipts and fees above those budgeted to the Enrollment Growth Reserve). Makes conforming changes.

Adds new GS 115D-31.4, establishing the Enrollment Increase Reserve (Reserve), to be administered by the SBCC. Specifies the purpose of the Reserve is to allow the SBCC to provide funds to community colleges to account for enrollment increases beyond budgeted enrollment levels. Provides for monies in the Reserve to consist of funds appropriated by the General Assembly in its Current Operations Appropriations Act for a fiscal year. Directs the SBCC to include in its annual enrollment request the appropriation to the Reserve that is needed to fund enrollment increases in the next fiscal year. Allows the SBCC to allocate monies from the Reserve to a community college with an eligible increase in FTE enrollment according to a formula adopted by the SBCC. Specifies that an increase in FTE enrollment is either (1) an increase in FTE enrollment of more than

325 students or (2) an increase in FTE enrollment of more than 5% of the budgeted enrollment level in any of the following course categories: curriculum, workforce continuing education, or basic skills. Specifies that monies in the Reserve do not revert but instead remain available for the specified purposes. Makes conforming changes to GS 115D-31 (State financial support for community colleges) to include reference to the Reserve. Appropriates \$6 million in nonrecurring funds for 2024-25 from the General Fund to the Reserve to be used in accordance with the act.

Part III

Adds new GS 115D-39.2, concerning local tuition fee surcharges, allowing a community college to implement a surcharge for tuition for curriculum courses and registration fees for workforce continuing education courses of up to 10% of the statewide tuition rate or fee rate. Specifies that all students enrolled in a course are subject to the surcharge, except for students for whom tuition and registration are waived by law or regulation. Specifies that the funds collected can only be used to support instruction in curriculum, workforce continuing education, or Basic Skills courses. Requires the SBCC, beginning by no later than February 15, 2025, and annually thereafter, to report to the specified NCGA committee on all expenditures made with the funds collected pursuant to GS 115D-39.2, including at minimum an analysis of expenditures that is disaggregated on the basis of curriculum, workforce continuing education, and Basic Skills courses. Requires the SBCC to adopt rules to implement GS 115D-39.2

Changes the title of GS 115D-39.1 from “Tuition surcharge” to “Tuition surcharge for a new instructional program.”

Effective July 1, 2024.

Intro. by Winslow, Zenger, Brody, Tyson.

[APPROP, GS 115D](#)

[View summary](#)

[Education, Higher Education, Government,
Budget/Appropriations, State Agencies, Community Colleges
System Office](#)

H 1070 (2023-2024) [PROPERTY RIGHTS AND PROTECTIONS](#). Filed May 8 2024, *AN ACT TO MODIFY VARIOUS PROVISIONS REGARDING SUMMARY EJECTMENTS AND OTHER SMALL CLAIMS MATTERS, TO MODIFY PROVISIONS REGARDING PROPERTY CRIMES, AND TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS.*

Amends GS 7A-224 so that judgment is rendered in a small claims action either when it is signed by the magistrate or rendered electronically by the magistrate (currently, judgment is only rendered when signed by the magistrate). Amends GS 7A-228 (new trials, appeals for trial de novo, how appeal is perfected, oral notice, and dismissal in small claims actions) to change references from entry of judgment to rendering of judgment. Makes language gender neutral. Effective October 1, 2024, and applies to judgments rendered on or after that date.

Amends GS 42-34 (undertaking on appeal and order staying execution for summary ejectment proceedings) as follows. Stays an order for at least ten days that is issued as part of an indigent appeal determining that appellant’s payment of rent in arrears is not required to stay execution pending appeal. Provides for notice to the clerk and all parties. Allows the plaintiff-appellee to request a hearing before the clerk regarding the determination during the period the order is stayed and requires they provide notice to all parties. Requires clerk to set a hearing date within ten calendar days of the filing of the motion with notice to all parties. Prevents any writ of possession or other execution of the magistrate's judgment from taking place (i) during the stay of a determination regarding the payment of rent in arrears or (ii) while a plaintiff-appellee's motion is pending. Requires clerk to: (1) pay plaintiff the amount of rental payments paid by defendant within five business days of plaintiff's written request for payment for the rental payments or, (2) disburse any accrued monies when it appears by a stipulation signed by all of the parties or by final order of court that an appeal has been resolved (currently, no deadline). Imposes charges to the clerk’s office for each day past the five-business day deadline, not to exceed \$500. Makes language gender neutral. Effective October 1, 2024, and applies to judgments rendered on or after that date.

Amends GS 14-127 (willful and wanton injury to property) to make it a Class I felony if a person willfully and wantonly damages, injures, or destroys the residential real property of another, and that damage, injury, or destruction results in damages valued at \$500, so long as the conduct is not covered under some other provision of law providing greater punishment. Effective December 1, 2024, and applies to offenses committed on or after that date.

Adds new GS 14-117.8 making it a Class H felony to rent or lease residential real property to another person knowing that the renter or lessor has no lawful ownership in the property or leasehold interest in the property and a Class I felony to list or advertise residential real property for sale knowing that the purported seller has no legal title or authority to sell the property. Effective December 1, 2024, and applies to offenses committed on or after that date.

Effective July 1, 2024, appropriates \$10,000 from the General Fund to the Administrative Office of the Courts in nonrecurring funds for the 2024-25 fiscal year to implement, educate, and train on the procedures required by the act.

Intro. by Bradford, K. Hall, Biggs, Cunningham.

[APPROP, GS 7A, GS 14, GS 42](#)

[View summary](#)

[Courts/Judiciary, Civil, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations](#)

PUBLIC/SENATE BILLS

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

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

Section 1.1

Modifies new GS 130A-330, pertaining to local authority to require backflow preventers, as follows. Clarifies that a local government public water system cannot require a customer to install a backflow preventer on an existing nonresidential or residential connection, including multifamily dwellings not otherwise required by law (currently, just can't require installation except where installation is required by federal law). Modifies the exception to those instances where the degree of hazard is determined to be high (was, severe) only by the Department of Environmental Quality (currently, Department and the system). Defines *high hazard* and removes defined term *severe hazard*. Adds the NC Fire Code as one of the codes that the limitations above cannot be construed to prohibit installations of backflow preventers under the requirements of the code if one of the listed triggering events occurs. Adds change in use of the property served by the connection as another triggering event. Clarifies what types of retrofits or upfit/fit-up to plumbing or increases in water flow do not necessitate a backflow preventer.

Provides for immunity to a public water system owned or operated by a local government unit, and its employees, including the Cross Connection Control Operator in Responsible Charge from civil liability in tort from any loss, damage, or injury arising out of or relating to the backflow of water into potable water supply systems where a backflow preventer is not required by State or federal law, or where the degree of hazard from the customer's connection is not determined to be high by the Department. Requires the Department to determine whether the degree of hazard is high when it is not required by State or federal law and to post notice of such determinations on its website. Allows public water systems owned or operated by a local government from requiring the installation of a backflow preventer if the system pays all costs, including the device, installation, and appropriate landscaping. Includes the Department's determinations of high hazards as one of the defined rules in the APA.

Makes technical and organizational changes.

Section 1.4

Changes the deadline for a local government to perform its review of residential building plans (if it chooses to do so) under GS 160D-1110(b) from 15 days to 20 business days of submission of the plans. Makes technical changes.

Section 1.5

Amends the street lighting fixtures excluded from public safety issues under GS 160D-1110(h) to require that a developer submit an affidavit to a local government detailing why the site improvements are not complete, the expected date of completion and compliance, and a statement promising to complete the required site improvements if they have not completed all required site improvements at the time of issuance of a certificate of occupancy.

Section 1.9

Removes amendments to GS 160D-804, pertaining to remote residential parking facilities.

Section 1.11 (was, Section 1.12)

Removes requirement in new GS 160D-1501 for a permit holder receiving a temporary certificate of occupancy for a model home to post signage indicating that those bathrooms do not work. Makes technical changes.

Section 2.2

Clarifies that as part of the act's Fire Resistance for Exterior Wall Rule, that any separation of an exterior end wall of a townhouse building less than six feet must provide a minimum cumulative fire-resistance rating of two hours.

Section 3.5

Removes provisions amending to GS 83A-7 (qualifications and examination requirements for architect licensure).

Section 4.4

Amends definition of *private compliance inspector* to remove local health department as one of the persons who would be private compliance inspector hired by the owner of a wastewater system under 90A-71. Specifies that the inspector must be hired to perform a compliance inspection (was, inspection).

Amends GS 90A-72 (certification requirements), as follows. Prevents any person from conducting an evaluation or offer to conduct the services authorized in GS 130A-336.2(a) (was, Article 11 of GS Chapter 130A) without being certified as an Authorized On-Site Wastewater Evaluator. No person shall conduct or offer to conduct a private compliance inspection of an on-site wastewater system for compliance with the designs of a Construction Authorization issued pursuant to GS 130A-335(a5) (was, issued by local government) or a Notice of Intent to Construct issued pursuant to GS 130A-336.1 or GS 130A-336.2 unless certified as a Private Compliance Inspector or pursuant to GS 130A-337(a1). Requires the Private Compliance Inspector to obtain written consent from the professional engineer pursuant to GS 130A-336.1 or the Authorized On-Site Wastewater Evaluator pursuant to GS 130A-336.2 prior to conducting the compliance inspection.

Amends the inspector certification application requirements under GS 90A-77 (certification requirements) to allow, in lieu of the experience required by the statute, for the applicant to instead complete the approved education requirements for the grade IV contractor certification. Amends five years of experience that a private inspector applicant is required to have to include experience in on-site wastewater matters as part of the experience.

Changes the expiration date under GS 90A-78 for certifications issued under Article 5 of GS Chapter 90A from November 15 to December 31. Requires certified individuals to submit their renewal by November 15 each year.

Sets an effective date for the changes implemented by Section 4.4 of January 1, 2025.

Section 4.5

Includes GS 130A-337(a1) as one of the statutory sections that GS 130A-337(a2) trumps. Makes conforming change to account for changes to GS 90A-72. Adds a requirement that the Private Compliance Inspector obtain written approval from the professional engineer or Authorized On-Site Wastewater Evaluator prior to conducting the compliance inspection as one of the criteria that must be met for an applicant to contract such an inspector. Removes two business day deadline for delivery of a completed compliance inspection form as part of the inspection form criteria that a Private Compliance Inspector must meet so that an applicant can contract with such an inspector. Includes professional engineers or Authorized On-Site Wastewater Evaluators, as applicable, as persons who the Private Compliance Inspector may need to deliver the form to.

Specifies that the changes to GS 130A-337 are effective January 1, 2025.

Section 4.9

If Senate Bill 508, 2023 Regular Session becomes law makes the following changes:

- Changes the required materials that an owner of a wastewater system must submit as part of the professional engineer's report under GS 130A-336.1(l) (alternate process for wastewater approval) to include a signed document from the licensed soil scientist or licensed geologist releasing their soils report to be used in obtaining a permit. Provides for date-stamping of the professional engineer's report by the local health department upon submission. Requires the local health department to notify the appropriate inspections department of the acceptance of the professional engineer's report and a Certificate of Occupancy must be issued.
- Removes the required fee provisions under GS 130A-336.2 as amended,(alternative wastewater system approvals for nonengineered systems) and provides for date-stamping of the Authorized On-Site Wastewater Evaluator's report by the local health department upon submission. Requires the local health department to notify the appropriate inspections department of the acceptance of the report and a Certificate of Occupancy must be issued.
- Amends GS 130A-336.1(o)/GS 130A-336.2, as amended (changes in system ownership), to specify that a Notice of Intent to Construct is not transferrable to a new owner without the written consent of the professional engineer (GS 130A-336.1) or the Authorized On-Site Wastewater Evaluator (GS 130A-336.2). Specifies that the wastewater systems' Authorization to Operate will be transferred to a new owner. Makes conforming changes so that the statutes reflect the changes made by Senate Bill 508, 2023 Regular Session.

Section 4.19

Clarifies that as part of the act's Licensed or Certified Professionals Rule, that prior to the issuance of an Improvement Plan or Construction Authorization, a signed and sealed consent form from the licensed soil scientist or licensed geologist required by the must be attached to the plans and specifications submitted to the local health department.

Section 4.27

Makes technical changes to the Tank Leak Testing and Installation Requirements Rule.

Section 4.30

Clarifies that as part of the act's Large Diameter Pipe Systems Rule, that the measurement to determine when fats, oils, and grease from a food service establishment exceed the limit of domestic strength effluent should be taken as it enters the dispersal product.

Section 4.31

Clarifies that as part of the act's Prefabricated Permeable Block Panel Systems Rule, that the measurement to determine when fats, oils, and grease from a food service establishment exceed the limit of domestic strength effluent should be taken as it enters the dispersal product.

Section 5.1

Amends GS 143-136 (membership of the Building Code Council [BCC]) the membership requirement of one of the members appointed by the governor so that instead of being a representative of the NC Office of the State Fire Marshal, they are a certified Level III Code Official. Allows for each appointing authority to remove any member of the BCC that they appointed for misfeasance, malfeasance, or nonfeasance. Makes conforming changes.

Section 5.2

Amends GS 143-136.1 (Residential Code Council [RCC]) so that each appointing authority can remove any member of the RCC that they appointed for misfeasance, malfeasance, or nonfeasance. Makes conforming changes.

Removes Sections 6.1-6.3, provisions pertaining to the extraterritoriality of jurisdiction within Moore County.

Makes organizational changes. Makes conforming changes to the act's long title.

[View summary](#)

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

LOCAL/HOUSE BILLS

H 31 (2023-2024) [ROWAN-SALISBURY BOARD OF EDUC. PARTISAN. \(NEW\)](#) Filed Jan 30 2023, *AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE MEMBERS OF THE ROWAN-SALISBURY BOARD OF EDUCATION.*

Conference report to the 2nd edition makes the following changes.

Effective when the act becomes law, amends Section C of Article V of "A Plan for the Merger of the Rowan County School and Salisbury City Schools," as amended, to remove language pertaining to election of Board of Education (Board) members that address attendance zones, the district 6 and 7 seats, and the format of the ballots. Changes the candidate filing period to start at noon on the first Friday in July and to end on the third Friday in July (currently, candidates can begin filing starting on the sixteenth Friday before the election and no later than the twelfth Friday before the election). Removes language detailing required information for the notice of candidacy and instead requires the notice of candidacy to comply with Article 24 of GS Chapter 163 (concerning the conduct of municipal elections. Makes technical changes.

Makes the following provisions, which would have been effective when the act became law, so that they are now effective December 1, 2026, only if approved by the qualified voters of Rowan County in a referendum conducted by the Rowan County Board of Elections in the 2024 general election:

- Requirement that the Board consist of seven members elected on a partisan basis at the time of the general election in each even-numbered year with members serving staggered four-year terms. Requirement for candidates to be nominated at the same time and manner as county officers. Requirement for the election to be conducted in accordance with the applicable provisions of GS Chapters 115C and 163.
- Requirement for vacancies to be filled according to GS 115C-37.1. Requirement that a person reside in the resident district where a vacancy exists to be eligible for appointment to fill the vacancy.
- Repeal of Sections C and D of Article V of "A Plan for Merger of the Rowan County School and the Salisbury City Schools," as amended by Section 2 of SL 1987-890, and Section 2 of the act.
- Adds the specification that the act does not affect the term of members elected in 2022 or 2024 and sets out requirements for filling vacancies in offices of those elected to the Rowan-Salisbury Board of Education in 2022 and 2024.

Specifies that the referendum question will be whether the voter is for or against changing the method of election for the Board from nonpartisan to partisan. If the referendum passes, then repeals requirement that vacancies on the Board be filled in accordance with GS 115C-37(f) along with the changes to Section C of Article V of "A Plan for Merger of the Rowan County School and the Salisbury City Schools," as amended by Section 2 of SL 1987-890 as described above.

Makes organizational changes. Amends the act's titles.

Intro. by Warren.

UNCODIFIED, Rowan

[View summary](#)

Education, Government, Elections

ACTIONS ON BILLS

PUBLIC BILLS

H 198: DOT LEGISLATIVE CHANGES.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

H 426: VARIOUS ENVIRONMENTAL AMENDMENTS. (NEW)

Senate: Reptd Fav

H 912: 2024 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

House: Reptd Fav

House: Re-ref Com On Finance

H 917: GSC TECHNICAL CORRECTIONS 2024.

House: Reptd Fav Com Substitute

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

H 938: GSC MORAL TURPITUDE/OCCUPATIONAL LICENSURE.

House: Reptd Fav Com Substitute

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

H 942: SHALOM ACT.

House: Reptd Fav

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Special Message Sent To Senate

Senate: Special Message Received From House

Senate: Passed 1st Reading

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

H 1069: COMM. COLLEGE FUNDING & TUITION SURCHARGE.

House: Filed

H 1070: PROPERTY RIGHTS AND PROTECTIONS.

House: Filed

S 124: INSURANCE REBATE REFORM.

House: Withdrawn From Com

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

S 156: MEDICAID CHILDREN & FAMILIES SPECIALTY PLAN.

House: Withdrawn From Com

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

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

House: Reptd Fav Com Sub 2

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Special Message Sent To Senate

S 303: STRENGTHEN JUVENILE LAWS.

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

S 876: QRIS MODERNIZATION.

Senate: Reptd Fav
Senate: Re-ref Com On Appropriations/Base Budget

LOCAL BILLS

H 31: ROWAN-SALISBURY BOARD OF EDUC. PARTISAN. (NEW)

House: Conf Com Reported
House: Ref To Com On Rules, Calendar, and Operations of the House
Senate: Conf Com Reported
Senate: Placed On Cal For 05/09/2024

H 593: RESTRICT TRUCK LENGTH THROUGH CULLASAJA GORGE.

Senate: Reptd Fav

H 1059: TOWN OF BERMUDA RUN/CHARTER AMENDMENTS.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

H 1060: ADD AT-LARGE MEMBERS/MACON CO. BOARD OF COMM.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

H 1061: CREEDMOOR/ANNEXATION & DEANNEXATION.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 1062: TOWN OF LELAND/RECALL OFFICIALS.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

H 1063: CITY OF SOUTHPORT/TREE ORDINANCES.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

H 1064: CITY OF SOUTHPORT/REMOVE ETJ AUTHORITY.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

H 1065: GARNER/COMMUNITY FACILITIES IMPACT FEES.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 1066: BOILING SPRING LAKES/DEANNEXATION.

House: Passed 1st Reading
House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 1067: EMPLOYEE HOUSING/DURHAM COUNTY.

House: Passed 1st Reading

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

S 901: DURHAM PLANNING DEPT/ELECTRONIC NOTICES.

Senate: Passed 1st Reading

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

S 902: DURHAM COUNTY OCCUPANCY TAX MODIFICATIONS.

Senate: Passed 1st Reading

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

S 903: ADD AT-LARGE MEMBERS/MACON CO. BOARD OF COMM.

Senate: Passed 1st Reading

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

S 904: GARNER/COMMUNITY FACILITIES IMPACT FEES.

Senate: Passed 1st Reading

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

S 905: EMPLOYEE HOUSING/DURHAM COUNTY.

Senate: Passed 1st Reading

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

S 906: HENDERSONVILLE/PUBLIC ENTERPRISES OPERATION.

Senate: Passed 1st Reading

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

S 907: MOVE CASWELL CO. BD. OF ED. ELECT. TO NOV.

Senate: Passed 1st Reading

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

S 908: ORANGE CO BD OF ED ELECTION CHANGES.

Senate: Passed 1st Reading

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

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