

The Daily Bulletin: 2024-05-15

PUBLIC/HOUSE BILLS

H 228 (2023-2024) [REV. LAWS TECH., CLARIFYING, & ADMIN. CHNGS.](#) Filed Feb 28 2023, *AN ACT TO MAKE VARIOUS TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS, TO MAKE TECHNICAL CHANGES TO THE MEDICAID HOSPITAL ASSESSMENT STATUTES, AND TO UPDATE THE DEFINITION OF A THRESHOLD EXCLUSION.*

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

Section 2.2 of the act, previously Section 2.5, amends GS 105-164.3 by amending the definition of the Streamlined Agreement to now refer to the Streamlined Sales and Use Tax Agreement as amended as of November 7, 2023.

Removes the remaining content of the 1st edition and replaces it with following new content.

Part I.

Repeals GS 105-160.4(f), which, effective for taxable years beginning on or after January 1, 2022, did not allow fiduciaries and beneficiaries of estates and trusts who are shareholders of a taxed S Corporation a credit for taxes paid by the estates and trusts or by the taxed S Corporation to another state or country on income that is taxed to the taxed S Corporation. Also repeals (g), which effective for taxable years beginning on or after January 1, 2022, did not allow fiduciaries and beneficiaries of estates and trusts who are partners of a taxed partnership a credit for taxes paid by the estates and trusts or by the taxed partnership to another state or country on income that is taxed to the taxed partnership. Effective for taxable years beginning on or after January 1, 2023.

Adds and defines the following terms in GS 105-153.3, as they apply to the Individual Income Tax Act. Defines *income attributable to the State* as either (1) with respect to a partnership, all items of income, loss, deduction, or credit of the partnership apportioned and allocated to this State under GS 105-130.4 (allocation and apportionment of income for corporations) or (2) with respect to an S Corporation. Defines *income not attributable to the State* as either: (1) with respect to a partnership, all items of income, loss, deduction, or credit of the partnership other than income attributable to the State or (2) with respect to an S Corporation. Effective for taxable years beginning on or after January 1, 2023.

Amends GS 105-153.8 by amending the provisions concerning the filing of joint income tax returns to require two lawfully married individuals who are required to file an income tax return and whose adjusted gross income is determined on a joint federal return to file a joint state income tax return. Provides that if two lawfully married individuals file a joint federal return, but only one is required to file a state income tax return, that individual must file the income tax return as either: (1) jointly based on the filing status of married, filing jointly/surviving spouse or (2) separately based on the filing status of married filing separately. Makes conforming and clarifying changes.

Amends the following statutes to provide that a taxpayer or fiduciary (as applicable) may receive an extension of time to file a tax return (was, may ask the Secretary for an extension of time): GS 105-155, GS 105-160.6, GS 105-130.17, and GS 105-129.

Part II.

Amends GS 105-164.8 by amending two of the ten triggers for when a retailer makes a remote sale is engaged in business in this State and subject to sales tax, to now include: (1) a retailer who makes gross sales in excess of \$100,000 from remote sales sourced to this State, including sales as a marketplace seller, for the previous or current calendar year (no longer includes remote sales sourced into this State that are in 200 or more separate transactions) and (2) a marketplace facilitator who makes gross sales in excess of \$100,000, including all marketplace-facilitated sales for all marketplace sellers, from sales sourced to this State for the previous or current calendar year (no longer includes sales sourced into this State that are in 200 or more separate transactions). Effective July 1, 2024. Specifies that a person holding a certificate of registration with the Department as of June 30, 2024, and is solely engaged in business in the State because the person exceeds the 200 transaction threshold

may close their certificate of registration. Requires the person to collect tax, file returns, and remit tax for periods ending before the later of (1) July 1, 2024, or (2) the date the person cancels their certificate of registration.

Amends GS 105-241.8 by setting the statute of limitation for proposing an assessment against the customer of any refunded tax, when the purchaser receives a refund from a seller of sales tax paid to the seller, at three years after the date of the refund. Applies to assessments not barred by the statute of limitations before July 1, 2024.

Amends GS 105-236 by setting the penalty for the misuse of an affidavit of capital improvement at \$250. Specifies that an affidavit of capital improvement substantiates that a contract, or a portion of work to be performed to fulfill a contract, must be taxed for sales and use tax as a real property contract.

Amends GS 105-164.4H by amending the conditions under which a person who receives an affidavit of capital improvements from another person is not liable for any additional tax on the gross receipts from the transaction if it is determined that the transaction is not a capital improvement, to require that the affidavit be received within 90 days of the sale or within 120 days of a substantiation request by the Secretary of Revenue.

Part III.

Amends GS 105-113.83 to requires the excise tax on alcohol to be paid when a report is due, as specified below, and requires the report to be filed regardless of whether alcoholic beverages were sold or otherwise disposed of in this State. Specifies that the report covers liabilities that accrue in the reporting period and that liabilities accrue in the reporting period in which the alcoholic beverage is first sold or otherwise disposed of in this State. Sets the following reporting deadlines: (1) liquor--monthly for the local ABC Board and distillery, (2) malt beverages and wine—monthly for the wholesaler or importer, (3) brewery and winery—monthly, (4) wine shipper permittee—yearly, and (5) railroad sales—monthly for person operating a railroad train in this State. Specifies that the agreement in which a wholesaler agrees to be responsible for the tax on transferred malt beverages must be provided to the Secretary when requested. Makes additional conforming changes.

Amends GS 105-449.45 by adding that the motor carrier's quarterly report to the Secretary on its operations is due even if the person did not operate or cause to be operated a qualified motor vehicle during the reporting period.

Amends GS 105-449.60 by amending the definition of *diesel fuel* as it is used in Article 36C, concerning the taxation of Gasoline, Diesel, and Blends, so that the term "diesel fuel" includes renewable diesel. Adds and defines the term *renewable diesel*.

Part IV.

Amends Section 5.6 of SL 2022-13 by delaying the effective date of the changes to GS 105-236, which decreased the penalty for failure to pay a tax when it is due from 5% to 2%, with an additional 2% for each month after one month, not exceeding 10% in aggregate. Now makes the change effective July 1, 2027, instead of 2024.

Part V.

Amends GS 108A-147.7 by amending the calculation of the State administration subcomponent, and the county administration subcomponent, of the Medicaid hospital assessments to specify that it is to be increased by a percentage that is the sum of each monthly percentage change in the Consumer Price Index: All Urban Consumers for the most recent twelve months available on the first day of the current quarter (was, increased by the Consumer Price Index: All Urban Consumers).

Amends GS 108A-145.3 by amending the following definitions as they apply to the Hospital Assessment Act. Defines *private hospital historical assessment share* as 80.17% instead of 80.2%. Defines *public hospital historical assessment share* as 19.83% instead of 19.8%.

Amends GS 108A-145.3 by adding and defining the term *rural emergency hospital* as it is used in the Hospital Assessment Act. Amends the definitions of *private acute care hospital* and *public acute care hospital* to specify that they cannot be a rural emergency hospital. Amends GS 108A-146.9, concerning the fee-for-service component, by providing that the subcomponent pertaining to claims for which there is third-party coverage is the product of the total fee-for-service payments for claims not attributable to newly eligible individuals for which there is third-party coverage made for inpatient hospital services and outpatient services to rural emergency hospitals (along with already included public acute care and private acute care hospitals and critical access hospitals) multiplied by the nonfederal share for not newly eligible individuals.

Treats rural emergency hospitals the same as critical access hospitals in (1) the calculation of the UNC Health Care System share and East Carolina University share in GS 108A-147.9 and (2) the calculation of the share of public hospital costs under GS 108A-14.11.

Part VI.

Amends GS 24-1.1E, concerning restrictions and limitations on high-cost home loans by amending the calculation of items that are excluded from the calculation of the total points and fees payable by the borrower, under the definition of the term *thresholds*; now refers to the average prime offer rate instead of the required net yield for comparable loans from Fannie Mae or the Federal Home Loan Mortgage Corporation. Effective June 1, 2024.

Amends the act's long title.

Intro. by Bradford, Setzer, Kidwell, Wray.

GS 24, GS 105, GS 108A

[View summary](#)

Alcoholic Beverage Control, Banking and Finance, Business and Commerce, Corporation and Partnerships, Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Revenue, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Transportation

H 834 (2023-2024) **JUVENILE JUSTICE MODIFICATIONS. (NEW)** Filed Apr 19 2023, *AN ACT TO MODIFY THE DEFINITION OF DELINQUENT JUVENILE, TO MODIFY THE TRANSFER PROCESS FOR INDICTED JUVENILE CASES, TO CREATE A NEW PROCESS TO REMOVE A CASE TO JUVENILE COURT, TO MAKE CHANGES TO SCHOOL USE OF INFORMATION, TO MAKE SECURE CUSTODY HEARING CHANGES, TO MAKE TECHNICAL CORRECTIONS, TO MAKE CHANGES TO CERTAIN DISPOSITIONAL ALTERNATIVES, AND TO INCREASE THE PUNISHMENT FOR AN ADULT TO SOLICIT A MINOR TO COMMIT A CRIME AND TO MODIFY THE NUMBER OF DAYS FOR REQUEST FOR REVIEW BY A PROSECUTOR.*

Senate amendment to the 3rd edition makes the following changes. Amends GS 7B-1704 (concerning requests for prosecutorial review of juvenile court counselor's determination not to file a delinquency petition) to give the complainant and the victim ten working days from receipt of the juvenile counselor's decision, unless waived by the district attorney to request prosecutorial review of that decision (currently have five calendar days to request review). Makes conforming changes to the act's long title.

Intro. by Davis, N. Jackson.

GS 7B, GS 14, GS 15A, GS 115C

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Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Criminal Law and Procedure

PUBLIC/SENATE BILLS

S 124 (2023-2024) **PREDATORY ROOFING. (NEW)** Filed Feb 16 2023, *AN ACT TO PROVIDE A CANCELLATION PERIOD FOR RESIDENTIAL ROOF REPLACEMENT OR REPAIR CONTRACTS.*

House committee substitute to the 2nd edition replaces the content of the previous edition with the following.

Amends GS 14-401.13 by making contracts for residential roof replacement or repair subject to a five-business day cancellation period following an insurance claim denial for the work to be performed under the contract. Prohibits the seller from beginning work or collecting payment until the expiration of the five business days. Entitles the residential roofing contractor to collect the amount due for emergency services at the time they are rendered, if the services were acknowledged by the insured as necessary to prevent further damage to the premises. Violations are a Class 1 misdemeanor. Amends the terms that are defined for use in this statute by adding and defining *residential roof replacement and repair services* and to amend the

definitions of *consumer goods or services* and *seller* to account for residential roof replacement and repair services. Applies to contracts entered into on or after October 1, 2024.

Makes conforming changes to the act's titles.

Intro. by Johnson.

GS 14, GS 58

[View summary](#)

Business and Commerce, Consumer Protection, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing

S 156 (2023-2024) **CLARIFY DV MISDEMEANOR. (NEW)** Filed Feb 23 2023, *AN ACT TO CLARIFY THE MISDEMEANOR CRIME OF DOMESTIC VIOLENCE.*

House committee substitute replaces the 1st edition in its entirety with the following.

Removes the definition of *dating relationship* in GS 14-32.5 (misdemeanor crime of domestic violence) and now provides that a current or recent former dating relationship is a relationship between individuals who have or have within the preceding twelve months had a continuing serious relationship of a romantic or intimate nature. Whether a relationship constitutes a dating relationship should be determined based on consideration of the length of the relationship, the nature of the relationship, and the frequency and type of interaction between the individuals involved in the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship. (Currently, statute uses the definition for dating relationships set forth in 18 USC 921.) Directs that misdemeanor assault under GS 14-33 is not a lesser included offense of the crime of misdemeanor domestic violence.

Includes misdemeanor domestic violence as one of the crimes that will: (1) constitute habitual misdemeanor assault if a person is convicted two or more times, with the earlier conviction occurring no more than fifteen years prior to the date of the current violation under GS 14-33.2; (2) allow an officer to make an arrest without a warrant even if the offense did not occur in their presence if they have probable cause to believe it occurred under GS 15A-401(b)(2); and (3) require judicial determination of pretrial release under GS 15A-534.1.

Amends the definition of dating relationship in GS 50B-1(b) (definitions pertaining to domestic violence civil protective orders) so that it conforms to the definition above (currently, the parties must have been romantically involved over time and on a continuous basis during the course of the relationship).

Effective December 1, 2024, and applies to offenses committed and actions for protective orders filed on or after that date.

Intro. by Krawiec, Burgin, Corbin.

GS 14, GS 15A, GS 50B, GS 122C

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Family Law, Criminal Justice, Criminal Law and Procedure, Local Government

S 303 (2023-2024) **COURT/OUT-OF-STATE ATTY CHANGES. (NEW)** Filed Mar 13 2023, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE, AS RECOMMENDED BY THE ADMINISTRATIVE OFFICE OF THE COURTS, AND TO AMEND THE STATUTES GOVERNING THE PRACTICE OF LAW BY OUT-OF-STATE ATTORNEYS IN NORTH CAROLINA.*

House committee substitute replaces the 3rd edition in its entirety with the following.

Section 1

Amends GS 48-9-102(d) (governing clerk's retention of adoption petition) to specify that the clerk must keep the petition in its files upon returning certain other documents to the parties (currently requires that the clerk keep the original petition in its files).

Section 2

Removes restriction on filing with the clerk briefs and memoranda provided to the court in GS 1A-1, NC Rule of Civil Procedure (NC Rule) 5(d) (service and filing of pleadings and other papers).

Section 3

Adds new GS 1-81.2, setting Wake County as the venue for cases designated as mandatory complex business cases by the NC Supreme Court. Provides for notice and transfer process. Makes technical and conforming changes to GS 7A-45.4 (designation of complex business cases). Defines *county of origin* for purposes of the Notice of Designation under GS 7A-45.4. Excludes execution proceedings under Articles 28 through 32 of GS Chapter 1 from the proceedings in an action that must be before a Business Court Judge once a Notice of Designation has been filed. Removes reference to specific Rule 2.1 in the General Rules of Practice for the Superior and District Courts (General Rules) in explaining when a case may be designated an exceptional civil case or discretionary complex business case under the General Rules. Effective when the North Carolina Business Court implements the electronic filing system approved by the Director of the Administrative Office of the Courts (AOC).

Section 4

Removes repealed statutory reference from GS 1A-1, NC Rule 55(b), pertaining to default judgments.

Section 5

Updates recodified statutory reference concerning proof and examination of a witness touching the execution of a will in GS 7A-102(b) to reflect recodified version.

Section 6

Amends the requirements in GS 28A-25-6 for the alternatives to the small estate requirements for a person to pay a debt owed to a decedent by clarifying that the amount owed cannot exceed \$5,000 and the aggregate sum that would come into the clerk's hands cannot exceed \$5,000, except as otherwise provided in GS 90-210.64(d) (concerning payments from the proceeds of a preneed funeral fund).

Section 7

Amends GS 28A-26-3 (ancillary administration of an estate) to remove requirement that clerk send certain notice to a known duly qualified domiciliary personal representative by registered mail.

Section 8

Amends the requirements for a petition for a determination of incompetence under GS 35A-1106 to remove reference to repealed statute and to incorporate definition from GS 35B-2 (the definitions provision of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act).

Section 9

Removes reference to repealed statute in GS 65-93 (funds to be kept perpetually by the superior court clerk).

Section 10

Amends the posting requirement for name changes under GS 101-2 so that the notice of application is posted in an area designated by the Clerk of the Superior Court for posting notices in the county (was, courthouse door). Makes a technical change.

Section 11

Amends the notice provisions of GS 31-32 (filing of a caveat) so that the clerk gives notice by making an entry where the will is recorded (currently clerk gives notice by making an entry upon the page of the will book where the will is recorded).

Section 12

Adds the clerk of superior court as one of the individuals who may set the conditions of pretrial release under GS 15A-533(h) upon rearrest for a new offense if the new offense is certain violations of GS Chapter 20 (motor vehicle laws). Effective October 1, 2024, and applies to defendants arrested on or after that date.

Section 13

Adds new Article 5B, "Safe Babies Court," to GS Chapter 7B. Declares that the court's purpose is to establish the safe babies court to improve the long-term well-being of parents, children, and families involved in the child welfare court system by providing them with trauma-informed support and services, and to achieve timely permanence, reduce generational trauma, and eliminate maltreatment. Requires AOC to set the criteria and referral process for a juvenile court matter to enroll in safe babies court. Directs that new Article 5B does not confer a right or an expectation of a right of participation in safe babies court to a person within the child welfare court system or alter any requirements related to permanency or hearings or limit the court's authority to conduct a review or permanency planning hearing pursuant to GS 7B-906.1 or any other hearings under this Subchapter. Specifies that a party's participation in safe babies court may be terminated at the discretion of the court. Defines seven terms, including *safe babies court* (the innovative court program implementing a community engagement and systems change initiative focused on improving how the courts, child welfare agencies, and related child-serving organizations work together to improve and expedite services for young foster children in juvenile actions alleging abuse, neglect, or dependency). Designates AOC director as custodian of the court records. Specifies that the court records are not public records, and gives the AOC director authority to disclose de-identified court records. Provides for a process upon motion to release court records to parties in a juvenile action. Establishes a safe baby coordinators testimonial privilege, subject to a crime/fraud exception. Allows the Guardian Ad Litem program and appointed guardians ad litem to share information at safe babies court meetings as it deems in the best interest of the juvenile.

Section 14

Permits the Supreme Court to, by rule, hold sessions in any location across the State. Effective when the act becomes law and expires December 1, 2026.

Section 15

Allows counsel for the respondent and the State in a commitment hearing to receive access to the court file under GS 122C-54 without filing a motion or obtaining a court order. Prevents counsel for the respondent from sharing the petition initiating a proceeding under GS Chapter 122, Article 5, without first obtaining a court order. Specifies that a judge presiding over a criminal case that initiated the Article 5 proceeding may have access to the file without filing a motion. Specifies that the following persons may have access to a court file of an involuntary commitment proceeding upon request to the clerk's office: (1) a commitment examiner and their administrative support staff for the purpose of filing subsequent documentation into a court file and (2) a person desiring to petition pursuant to GS 14-409.42 for the purpose of providing complete information in the petition.

Section 16

Specifies that when an affiant seeking involuntary commitment under GS 122C-261 is a commitment examiner filing a petition, the original affidavit and original custody order are not required to be mailed to the clerk and magistrate (currently only states the custody order is not required to be mailed to the clerk and magistrate). Makes technical and conforming changes.

Section 17

Amends GS 122C-281(d) (concerning involuntary commitment of substance abusers) to provide filing procedures in counties with and without electronic filing systems approved by the AOC Director. Makes technical changes.

Section 18

Amends GS 14-409.43 (reporting certain firearm disqualifiers to the National Instant Criminal Background Check System [NICS]) to require a petitioner and commitment examiner in a commitment proceeding under GS Chapter 122C, Article 5, to provide NICS with the respondent's Social Security number and driver's license number if known. Allows the court to collect such information. Requires petitioner to provide a respondent's driver's license number if known in a commitment proceeding

under Article 1 of GS Chapter 122C. Allows the court to collect that information and to place that information on a court order declaring the respondent incompetent.

Section 19

Amends GS 7A-171.2 to allow persons with at least eight years of experience as a law enforcement officer to be eligible for nomination as a magistrate.

Section 20

Removes the liability provisions of GS 1-305 (pertaining to the clerk's issuance of executions on unsatisfied judgments) for when a clerk does not comply with the requirements of the statute. Makes conforming changes to section title.

Section 21

Removes provisions directing that the official bond of the clerk is liable for all such sums paid over to the clerk under GS 65-95 (substitution of bank or trust company as trustee in actions pertaining to trust funds for care of cemeteries). Makes conforming changes to section title.

Section 22

Repeals GS 35A-1238 (concerning clerk's liability in guardianship proceedings).

Section 23

Repeals repealed GS 45-21.31(e), which concerns the clerk's liability in safekeeping of money.

Section 24

Changes phrase that the license plate issued to the AOC Director must bear under GS 20-79.4.

Section 25

Prevents attorneys not admitted to the state bar from advertising to provide legal services in this state unless they are authorized to provide the advertised legal services in this state under State or federal law. Specifies that limited admission in a matter falling under GS 84-4.1 is not a defense. Makes a technical correction. Effective December 1, 2024, and applies to offenses committed, and causes of action arising, on or after that date.

Section 26

Amends GS 84-4.1 (limited practice of out-of-state attorneys) as follows. Defines *foreign attorney* and *law firm*. Requires a motion for limited admission to now be on a form approved by the State Supreme Court and also signed by the State attorney of record. Makes technical and conforming changes. Requires the statement to contain proof of good standing for each state or jurisdiction where the attorney has been admitted to practice and date of admission for each (currently just requires status as a practicing attorney in another state, in addition to other listed information). Requires disclosure of the client's name on the required statement to accompany the petition as well as a statement for each client the foreign attorney seeks to represent. Provides for required information for corporate clients. Removes requirement that a foreign attorney's home state provide comity for limited representation to members of the NC Bar in good standing. Requires the foreign attorney to report any income earned from the matter that is taxable under State law to the NC Department of Revenue. Prevents a foreign attorney from: (1) being admitted in more than three unrelated cases in any twelve-month period, (2) being admitted in more than three active unrelated cases at any one time, and (3) being admitted if their law firm employs one or more foreign attorneys that (i) have been admitted under the statute in three or more unrelated cases in a twelve-month period or (ii) are currently admitted under the statute in three or more active unrelated cases. Specifies that the statute should not be construed to allow foreign attorneys to advertise to provide legal services in the State that they are not authorized to provide. Effective October 1, 2024, and applies to representation in civil proceedings filed and criminal offenses charged on or after that date.

Section 27

Amends GS 84-28 (attorney discipline and disbarment) to extend its provisions to any attorney offering or providing legal services in the state. Effective October 1, 2024.

Makes conforming changes to act's titles.

Intro. by Britt, Sanderson, McInnis.

GS 1, GS 1A, GS 7A, GS 7B, GS 14, GS 15A, GS 20, GS 28A, GS 31, GS 35A, GS 45, GS 48, GS 65, GS 84, GS 101, GS 122C

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Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Juvenile Law, Abuse, Neglect and Dependency, Delinquency, Court System, Administrative Office of the Courts, Criminal Justice, Government

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

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER AMENDATORY MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023 AND TO OTHER LEGISLATION. SL 2024-1. Enacted May 15, 2024.
Effective July 1, 2023, except as otherwise provided.

Intro. by Hise.

APPROP, Avery, Bladen, Catawba, Cleveland, Columbus, Craven, Cumberland, Currituck, Edgecombe, Gaston, Haywood, Hyde, Jones, Lincoln, Martin, Randolph, Richmond, Robeson, Rockingham, Rowan, Stokes, GS 7A, GS 17C, GS 17E, GS 20, GS 58, GS 84, GS 105, GS 113A, GS 115C, GS 116, GS 121, GS 126, GS 130A, GS 131E, GS 135, GS 143, GS 153A, GS 159, GS 160A, GS 162

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Business and Commerce, Insurance, Courts/Judiciary, Court System, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Higher Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Ethics and Lobbying, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Adult Correction, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Insurance, Department of Public Instruction, Department of Transportation, Office of State Budget and Management, State Board of Education, Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance, Military and Veteran's Affairs, Public Enterprises and Utilities, Transportation

S 542 (2023-2024) [DOL OMNIBUS/OTHER CHANGES. \(NEW\)](#) Filed Apr 4 2023, *AN ACT TO MAKE OMNIBUS CHANGES TO THE LABOR LAWS OF NORTH CAROLINA, TO MAKE OTHER TECHNICAL CHANGES, AND TO MODIFY ELEVATOR BIDDING SPECIFICATION REQUIREMENTS ON PUBLIC WORKS PROJECTS.*

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

Section 2.1

Amends the definition of boiler in GS 95-69.9 (definitions pertaining to the uniform boiler and pressure valve act).

Section 8.1

Repeals GS 95-255 (pertaining to certain reports due to the Commissioner of Labor under GS Chapter 95, Article 22, relating to health and safety) and GS 95-255.1 (pertaining to technical assistance to certain employers falling under GS 95-255).

Section 8.2

Makes conforming changes to GS 95-250 (definitions provision pertaining to health and safety) to remove reference to GS 95-255.

Section 10.1

Amends GS 133-3 (concerning specifications to carry competitive items, substitution of materials) as follows. Directs that specifications for the purposes of competitively bidding components, systems, construction services, or maintenance services that relate to elevators under State or local government work: (1) cannot list preferred brands as an alternate to the base bid; (2) cannot require a specified time greater than five years that a bidder must have conducted business within this State; (3) must include the statement, "Cited examples are used only to denote the quality standard of product desired and do not restrict bidders to a specific brand, make, manufacturer or specific name.", when utilizing brand name specification; and (4) must include a reference to GS 143-59 (State preference requirements in contracting). Makes technical changes.

Removes the following provisions:

- Section 8.5 (Amendments to the definition in GS 130A-247 of the term "bar" as it is used in Part 6, Regulation of Food and Lodging Facilities, of the Chapter as well as conforming changes to GS 130A-250.)
- Section 9.1 (Amendments to Section 1.7, SL 2019-251, to direct funds remaining of the \$30 million appropriation to Department of Transportation (DOT) for Hurricane Dorian recovery be used to continue DOT's Resilience Program.)
- Section 10.1 (Amendments to GS 143-134 to exempt from the public contracting laws of Article 8 public building contracts entered into by the DOT for facilities jointly occupied by personnel from the Division of Motor Vehicles (DMV) and the Highway Patrol.)
- Section 11.1 (Amendments to GS 143-299.2 (limitations on payments by the State under State Tort Claims Act) and DOT's powers set forth in GS 136-18)
- Section 12.1 (Requiring the DMV to study how to modernize and improve dealer license plates it issues, including the process for issuance, format, and design of the plates.)
- Section 13.1 (Adding new GS 20-79.1B, printing on-demand temporary registration plates.)
- Section 14.1 (Adding new GS 136-44.40, limitations on transportation liability to S-Line Corridor acquisition.)
- Section 15.1 (Enacting new Article 33, the Rail Transportation Corridor Authority Act, to GS Chapter 160A and conforming changes to GS 160A-20.)

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

Intro. by Galey, Barnes, Corbin.

GS 95, GS 133

[View summary](#)

Business and Commerce, Motor Vehicle, Employment and Retirement, Government, State Agencies, Department of Labor

S 909 (2023-2024) **PROTECT WOMEN'S HEALTHCARE**. Filed May 15 2024, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROTECT WOMEN'S HEALTHCARE*.

Subject to approval by voters at the general election in 2024, adds new Section 39 to Article I of the North Carolina Constitution prohibiting the State from restricting a woman's right to decide to have an abortion or from restricting access to contraception, fertility treatment, continuing one's own pregnancy, or miscarriage care. Allows the State to restrict a woman's ability to choose whether to terminate a pregnancy after fetal viability, unless termination is necessary to preserve the life or

health of the woman, or enact laws, rules, or regulations to further the health or safety of a woman seeking to terminate a pregnancy. Sets out the ballot language. If approved, effective January 1, 2025.

Intro. by Hunt.

CONST

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[Constitution, Health and Human Services, Health](#)

LOCAL/HOUSE BILLS

H 904 (2023-2024) [TOWN OF EDENTON/HAYES FARM ANNEXATION](#). Filed Apr 24 2024, *AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF EDENTON*.

House committee substitute to the 1st edition makes a technical change to the description of Tract V.

Intro. by Goodwin.

Chowan

[View summary](#)

H 906 (2023-2024) [PITTSBORO AND SANFORD ANNEXATION CHANGES. \(NEW\)](#) Filed Apr 24 2024, *AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF PITTSBORO AND REMOVING THE PROHIBITION ON THE CITY OF SANFORD FROM ANNEXING NONCONTIGUOUS AREAS WITHIN CHATHAM COUNTY*.

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

Repeals Section 2 of SL 2007-43, which prohibited Sanford from annexing any noncontiguous areas located within Chatham County. Makes conforming changes to the act's titles.

Intro. by Reives.

Chatham, Lee

[View summary](#)

H 911 (2023-2024) [TOWN OF ANDREWS DEANNEXATION](#). Filed Apr 24 2024, *AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ANDREWS*.

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

Amends the format of the description of the property that is being removed from the Town of Andrews corporate limits.

Intro. by Gillespie.

Cherokee

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REQUIRE SHERIFFS TO COOPERATE WITH ICE.

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 198: DOT LEGISLATIVE CHANGES.-AB

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

H 228: REV. LAWS TECH., CLARIFYING, & ADMIN. CHNGS.

House: Reptd Fav Com Substitute

House: Ruled Material

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

H 237: UNMASKING MOBS AND CRIMINALS. (NEW)

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Amend Tabled A1

Senate: Amend Tabled A2

Senate: Amend Tabled A3

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 426: VARIOUS ENVIRONMENTAL AMENDMENTS. (NEW)

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

H 591: MODERNIZE SEX CRIMES. (NEW)

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 834: JUVENILE JUSTICE MODIFICATIONS. (NEW)

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

H 912: 2024 UNC SELF-LIQUIDATING CAPITAL PROJECTS.

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: Passed 2nd Reading

House: Withdrawn From Cal

House: Placed On Cal For 05/22/2024

S 124: PREDATORY ROOFING. (NEW)

House: Reptd Fav Com Substitute

House: Re-ref Com On Insurance

S 156: CLARIFY DV MISDEMEANOR. (NEW)

House: Reptd Fav Com Substitute

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

S 303: COURT/OUT-OF-STATE ATTY CHANGES. (NEW)

House: Reptd Fav Com Substitute

House: Reptd Fav Com Substitute

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

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

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

Senate: Signed by Gov. 5/15/2024

Senate: Ch. SL 2024-1

S 542: DOL OMNIBUS/OTHER CHANGES. (NEW)

Senate: Conf Com Reported

Senate: Placed on Today's Calendar

House: Conf Com Reported

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

Senate: Conf Report Adopted

S 909: PROTECT WOMEN'S HEALTHCARE.

Senate: Filed

LOCAL BILLS

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

House: Conf Report Adopted

House: Ordered Enrolled

H 904: TOWN OF EDENTON/HAYES FARM ANNEXATION.

House: Reptd Fav Com Substitute

House: Ruled Material

House: Re-ref Com On Finance

H 906: PITTSBORO AND SANFORD ANNEXATION CHANGES. (NEW)

House: Reptd Fav Com Substitute

House: Ruled Material

House: Re-ref Com On Finance

H 909: TOWN OF FUQUAY-VARINA/DEANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

H 911: TOWN OF ANDREWS DEANNEXATION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 916: VACANCY FILLING FOR TOWN OF STANLEY.

House: Reptd Fav

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

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

House: Withdrawn From Com

House: Re-ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

House: Re-ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

House: Re-ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

House: Re-ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

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