

The Daily Bulletin: 2024-05-28

PUBLIC/HOUSE BILLS

H 223 (2023-2024) [OSHR/VARIOUS SHRA CHANGES](#). Filed Feb 28 2023, *AN ACT MAKING VARIOUS CHANGES TO THE STATE HUMAN RESOURCES ACT AND RELATED LAW.*

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

Section 10

Specifies that agencies and divisions are not allowed to hire new temporary employees through the Temporary Solutions Program under GS 126-6.3 (concerning temporary employment needs of cabinet and Council of State agencies) until they have paid all invoices that are over 90 days overdue (currently, must pay all overdue invoices and limitation was only on agencies). Specifies that the bar on hiring new temporary employees applies when the total overdue amount is over \$200,000 (currently, amount is over \$200,000 for any number of days). Makes technical and conforming changes. Allows the Director of the Office of State Human Resources to make an exception to the above temporary hiring ban only when failure to acquire new temporary employees will cause severe harm to the agency's ability to provide vital services to the public.

Section 11

Creates a two-year pilot program for Department of Health and Human Services (DHHS) temporary employees that gives those employees priority consideration in obtaining a vacant, permanent, probationary, or time-limited position, whether full-time or part-time, that is equivalent or similar to the temporary position held by the employee. Specifies that priority consideration is lower than the priority consideration for permanent State employees seeking a promotion and the hiring priority for eligible veterans and members of the National Guard. Requires the temporary employee to be in good standing with DHHS, meet the minimum qualifications for the position, and have been continuously staffing a position for DHHS for at least six months prior to consideration, not including any mandatory breaks. Provides for expedited hiring and posting requirements. Effective July 1, 2024 and expires on June 30, 2026.

Makes organizational changes. Makes technical change to effective date.

Intro. by Cleveland, Riddell.

GS 95, GS 126

[View summary](#)

Employment and Retirement, Government, State Agencies, Department of Health and Human Services, Office of State Human Resources (formerly Office of State Personnel), State Government, State Personnel, Local Government

PUBLIC/SENATE BILLS

S 802 (2023-2024) [C-PACE PROGRAM](#). Filed May 2 2024, *AN ACT TO ADVANCE BUILDING RESILIENCY AND UTILITY EFFICIENCY IN NORTH CAROLINA BY AUTHORIZING A STATEWIDE PROGRAM TO UTILIZE ASSESSMENTS TO REPAY NONPUBLIC FINANCING OF COMMERCIAL BUILDING IMPROVEMENTS THAT WILL PROMOTE ECONOMIC DEVELOPMENT, REDUCE UTILITY BILL COSTS, AND HARDEN COMMERCIAL BUILDINGS AGAINST STORM AND FLOOD DAMAGE AND TO AMEND ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES TO MODIFY THE REQUIREMENTS TO BE CERTIFIED AS A MINORITY BUSINESS OR HISTORICALLY UNDERUTILIZED BUSINESS.*

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

Amends new Article 10B, titled the "Commercial Property Assessed Capital Expenditure and Resilience Act (C-PACE)," in GS Chapter 160A, as follows. Amends the C-PACE toolkit requirements under new GS 160A-239.14 so that: (1) the required form of notice of C-PACE assessment has to identify the qualified commercial property subject to the assessment, along with the property's owner's consent to that assessment; (2) the form of assignment of C-PACE lien is from the local government to the capital provider that cross-references the registry book and page number of the notice of C-PACE assessment giving rise to the lien; and (3) expands the type of lienholders that must consent to a C-PACE assessment to include those holding any other lien upon the qualifying commercial property (currently just holders of a mortgage or deed of trust). Changes references in GS 160A-239.14 from benefitted property to qualifying commercial property. Expands the property owner's required certification so that the owner must certify that they are the holder of title in fee simple (currently just have to certify that they are the legal owner of the property), in addition to certifying that title is not in dispute. Removes the requirement that a C-PACE lien must be executed before the C-PACE assessment and lien documents are recorded in the appropriate office of the registrar of deeds. Makes clarifying changes.

Expands the required contents of the local government's resolution under new GS 160A-239.15 to include a statement of the place and time for a public hearing on the proposed C-PACE program. Specifies that if a local government seeking to participate in a C-PACE program is a city, the authorizing resolution is effective only with the concurrence of the governing body of the county in which the city is located. Amends the prong of the resolution containing the government's statement that it intends to authorize C-PACE financing so that it now requires the local government to state that it intends to authorize: (1) C-PACE financing; (2) the imposition of C-PACE assessments on qualifying commercial properties benefitting from qualifying improvements to secure repayment of C-PACE financing; (3) assign the C-PACE lien to the capital provider providing C-PACE financing; and (4) delegate billing, collection, and enforcement duties for the C-PACE assessment and C-PACE lien to capital providers (was, statement must: authorize C-PACE financing, authorize the imposition of C-PACE assessments and C-PACE liens on qualifying commercial properties benefitting from qualifying improvements to secure repayment of C-PACE financing, and assign the same or the right to repayment proceeds to the capital provider providing C-PACE financing, and delegate billing, collection, and enforcement duties for the C-PACE assessment and C-PACE lien to capital provider).

Changes reference from payment of C-PACE lien to payment of C-PACE assessment in GS 160A-239.17. Now prevents the use of public funds to repay any C-PACE assessment under GS 160A-239.20 (was, prevents public funds from being used to repay any loan between a capital provider and property owner). Changes the conforming change to GS 105-375 (in rem foreclosures) to refer to liens arising from C-PACE assessments (was, just referred to the assessments).

Amends the Employee Stock Ownership Plan (ESOP) prong of the term *minority business* under GS 143-128.2(g) (concerning minority business participation goals) so that 51% of plan participants must be comprised of minority persons or socially and economically disadvantaged individuals (was, 51% of the ESOP stock must be owned by such persons). Makes conforming changes and further amends GS 143-128.4 (defining historically underutilized businesses for purposes of statewide uniform certifications) to require an ESOP company applying for such certification to provide an attestation that it meets the requirements of the statute along with any required supporting documentation.

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

Intro. by Johnson, Lazzara, Lee.

[APPROP, GS 105, GS 143, GS 160A](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Building and Construction, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Commerce, Local Government](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 207: MANDATORY TRAINING CONTRIBUTING TO CEUS.

Senate: Withdrawn From Com

Senate: Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate

H 223: OSHR/VARIOUS SHRA CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

House: Withdrawn From Cal

House: Placed On Cal For 06/04/2024

H 1042: VET CARE FOR RETIRED LAW ENFORCEMENT DOGS.

House: Withdrawn From Com

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

S 790: STATE BAR REVIEW COMMITTEE RECOMMENDATIONS.

House: Passed 1st Reading

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

S 802: C-PACE PROGRAM.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Judiciary

S 910: CONFIRM JAMES C. GILLEN/INDUSTRIAL COMMISSION.

House: Passed 1st Reading

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

LOCAL BILLS

H 904: TOWN OF EDENTON/HAYES FARM ANNEXATION.

House: Withdrawn From Cal

House: Placed On Cal For 06/04/2024

H 909: FUQUAY-VARINA/DEANNEX, WAKE/ID BUREAU UPDATE. (NEW)

House: Withdrawn From Cal

House: Placed On Cal For 06/04/2024

H 911: TOWN OF ANDREWS DEANNEXATION.

House: Withdrawn From Cal

House: Placed On Cal For 06/04/2024

H 916: VACANCY FILLING FOR TOWN OF STANLEY.

House: Withdrawn From Cal

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

House: Withdrawn From Com

House: Placed On Cal For 06/04/2024

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