

The Daily Bulletin: 2024-06-27

PUBLIC/HOUSE BILLS

H 44 (2023-2024) [CONST. AMENDMENT/REPEAL LITERACY TEST](#). Filed Feb 2 2023, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REPEAL THE LITERACY TEST REQUIREMENT*.

House amendment to the 2nd edition makes the following changes.

Requires that the election be held in accordance with GS Chapter 163 (was, ballots, voting systems, or both may be used in accordance with GS Chapter 163).

Specifies that the State Board of Elections must certify the results of the referendum and that if a majority of the votes are in favor of the referendum, then the Secretary of State must enroll the amendment so certified among the permanent records of that office. Provides that if the certification from the State Board of Elections reflects that a majority of votes cast on the question are in favor of the amendment, then the amendment is effective upon certification.

Intro. by Alexander, Saine, T. Brown, Stevens.

CONST

[View summary](#)

[Constitution, Government, Elections](#)

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*.

AN ACT TO MAKE CHANGES TO TRANSPORTATION LAWS, AS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION. SL 2024-15. Enacted June 27, 2024. Effective June 27, 2024, except as otherwise provided.

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 237 (2023-2024) [VARIOUS CRIMINAL AND ELECTION LAW CHANGES. \(NEW\)](#) Filed Mar 1 2023, *AN ACT TO MODIFY THE PHYSICAL HEALTH AND SAFETY OF OTHERS EXEMPTION TO CERTAIN LAWS PROHIBITING WEARING MASKS; TO ENHANCE PUNISHMENT IF THE DEFENDANT WAS WEARING A MASK OR OTHER CLOTHING OR DEVICE TO CONCEAL OR ATTEMPT TO CONCEAL THE DEFENDANT'S IDENTITY; TO PROHIBIT GUBERNATORIAL EXECUTIVE ORDERS, SECRETARIAL DECLARATIONS, MUNICIPAL OR LOCAL GOVERNMENT PROHIBITIONS AND RESTRICTIONS, OR OTHER RULES OR REGULATIONS BY A POLITICAL SUBDIVISION OF THIS STATE FROM IMPOSING ADDITIONAL LIMITATIONS ON RELIGIOUS INSTITUTIONS THAT ARE NOT APPLICABLE TO BUSINESSES, NONPROFIT ORGANIZATIONS, OR OTHER PRIVATE ENTITIES AFFECTED BY THE SAME OR SIMILAR EMERGENCY; TO INCREASE THE PENALTY FOR IMPEDING A ROAD DURING A DEMONSTRATION OR OBSTRUCTING AN EMERGENCY VEHICLE FROM ACCESSING A ROAD AT ANY TIME; TO CREATE CIVIL*

LIABILITY FOR A DEMONSTRATION ORGANIZER OF A DEMONSTRATION THAT OBSTRUCTS AN EMERGENCY VEHICLE; AND TO AMEND CAMPAIGN FINANCE LAWS REGARDING FEDERAL POLITICAL COMMITTEES AND POLITICAL ORGANIZATIONS.

AN ACT TO MODIFY THE PHYSICAL HEALTH AND SAFETY OF OTHERS EXEMPTION TO CERTAIN LAWS PROHIBITING WEARING MASKS; TO ENHANCE PUNISHMENT IF THE DEFENDANT WAS WEARING A MASK OR OTHER CLOTHING OR DEVICE TO CONCEAL OR ATTEMPT TO CONCEAL THE DEFENDANT'S IDENTITY; TO PROHIBIT GUBERNATORIAL EXECUTIVE ORDERS, SECRETARIAL DECLARATIONS, MUNICIPAL OR LOCAL GOVERNMENT PROHIBITIONS AND RESTRICTIONS, OR OTHER RULES OR REGULATIONS BY A POLITICAL SUBDIVISION OF THIS STATE FROM IMPOSING ADDITIONAL LIMITATIONS ON RELIGIOUS INSTITUTIONS THAT ARE NOT APPLICABLE TO BUSINESSES, NONPROFIT ORGANIZATIONS, OR OTHER PRIVATE ENTITIES AFFECTED BY THE SAME OR SIMILAR EMERGENCY; TO INCREASE THE PENALTY FOR IMPEDING A ROAD DURING A DEMONSTRATION OR OBSTRUCTING AN EMERGENCY VEHICLE FROM ACCESSING A ROAD AT ANY TIME; TO CREATE CIVIL LIABILITY FOR A DEMONSTRATION ORGANIZER OF A DEMONSTRATION THAT OBSTRUCTS AN EMERGENCY VEHICLE; AND TO AMEND CAMPAIGN FINANCE LAWS REGARDING FEDERAL POLITICAL COMMITTEES AND POLITICAL ORGANIZATIONS. SL 2024-16. Enacted June 27, 2024. Effective June 27, 2024, except as otherwise provided.

Intro. by Torbett, Greene, Faircloth, Carson Smith.

[GS 14](#), [GS 15A](#), [GS 20](#), [GS 163](#), [GS 166](#)

[View summary](#)

[Courts/Judiciary](#), [Criminal Justice](#), [Criminal Law and Procedure](#), [Government](#), [Elections](#), [Public Safety and Emergency Management](#), [State Agencies](#), [State Board of Elections](#)

H 250 (2023-2024) **PUBLIC SAFETY/OTHER CHANGES. (NEW)** Filed Mar 1 2023, *AN ACT TO MAKE REVISIONS PERTAINING TO DEATH INVESTIGATIONS UNDER THE JURISDICTION OF THE OFFICE OF THE CHIEF MEDICAL EXAMINER, TO MODIFY CERTAIN LAWS RELATED TO LIMITED DRIVING PRIVILEGES AND RESTORATION OF A LICENSE AFTER CERTAIN DRIVING WHILE IMPAIRED CONVICTIONS, TO MODIFY SECTION 5 OF SESSION LAW 2023-151 RELATED TO THE LICENSE PLATE READER PILOT PROGRAM, TO MODIFY THE RURAL ELECTRIFICATION AUTHORITY AND CERTAIN FEES, TO ALLOW SCHOOL BOARDS TO USE EMINENT DOMAIN FOR EASEMENTS, TO ADD TIANEPTINE TO THE CONTROLLED SUBSTANCE SCHEDULES, TO EXEMPT LEASES OF PROPERTY BY THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY FROM GENERAL LAWS REGARDING DISPOSAL OF PROPERTY AND TO ALLOW THE AUTHORITY TO ENTER INTO CERTAIN LEASES FOR A TERM OF UP TO FORTY YEARS, AND TO REMOVE THE VETERANS BURIAL RESIDENCY REQUIREMENT.*

Conference report to the 4th edition makes the following changes. Amends the act's titles.

Removes Section 2, which amended the membership of the Commission on Indigent Defense Services.

Section 3

Further amends GS 20-179.3 as follows. Requires approved ignition interlock system vendors to report attempts to start the vehicle with an alcohol concentration greater than 0.02 or any other violations of Division policies or a violation of GS 20-17.8A to the DMV Commissioner. Amends the conditions under which a person must use an ignition interlock system to include persons eligible for a limited driving privilege. Amends what must be included in the judge's limited driving privilege order to include the new report on attempts to start the vehicle, discussed above. Adds that the removal of the ignition interlock system before the end of the revocation period or any extension voids the limited driving privilege and the Division must remove the limited driving privilege from the person's driving record. Requires the interlock provider to notify the holder of the limited driving privilege that removal voids the limited driving privilege in accordance with Division policy. Requires the Division to notify the person by first class mail that the limited driving privilege is void and does not authorize driving due to removal of the ignition interlock system. Provides that a person holding a limited driving privilege who commits an ignition interlock system violation during the 90-day period immediately preceding the date on which the person's compliance is to end must have the period of revocation and authorization to drive with the limited driving privilege in compliance (was, have the period of compliance) extended for an additional period of 90 days or until the person has been violation-free for such extended period. Amends the definition of *ignition interlock system violation* to include any attempt to start the vehicle with an

alcohol concentration greater than 0.02. Adds the requirement that the Division notify the holder of the limited driving privilege of any violation and the right to appeal in accordance with Division policy. Requires having a telephonic hearing if the holder appeals an extension and requires an extension to continue pending appeal. Requires the Division to mail notice of the extension to the person holding the limited driving privilege. Makes other technical and clarifying changes.

Amends GS 20-17.8, concerning restoration of a license after certain driving while impaired convictions, as follows. Adds that except for a conviction under GS 20-141.4(a2) for Misdemeanor Death by Vehicle, this statute also applies to a person whose license was revoked as a result of a conviction under GS 20-141.4 (Felony death by vehicle; felony serious injury by vehicle; aggravated offenses; repeat felony death by vehicle). Amends the license restrictions to also include the vendor reporting requirements discussed above. Amends the definition of ignition interlock system violation to include any attempt to start the vehicle with an alcohol concentration greater than 0.02. Adds the requirement that the Division notify the holder of the limited driving privilege of any violation and the right to appeal in accordance with Division policy. Requires having a telephonic hearing if the holder appeals an extension and requires an extension to continue pending appeal. Requires the Division to mail notice of the extension to the person holding the limited driving privilege.

Provides that if House Bill 199 (DMV Proposed Legislative Changes) becomes law, then Section 2 of that act (amending the scope of ignition interlock under GS 20-17.8) is repealed.

Changes the effective dates from July 1, 2024, to December 1, 2024.

Adds the following new content.

Amends Section 5(a) of SL 2023-151, concerning the pilot program allowing placement and use of automatic license plate reader systems within land or rights-of-way owned by the Department of Transportation, to allow the State Bureau of Investigation (SBI) to enter into an agreement under this section on its own behalf or as an administrative agent of a federal, state, or local law enforcement agency (was, local law enforcement agency in this state). Adds that any law enforcement agency selected to participate in the pilot program must give the SBI information on the agency's use of each automatic license plate reader system located within the Department of Transportation right-of-way; specifies what the information must include. Amends Section 5(b) by delaying the date by which the SBI must submit its reports by one year to 2026 and amends the information that must be included in the report. Amends Section 5(h) by extending the duration of the pilot program by a year to 2026.

Amends GS 117-3.1(b) to allow the North Carolina Rural Electrification Authority to propose a regulatory fee up to a maximum of 6 cents per meter as provided in the subsection for years where the General Assembly does not set a regulatory fee (was, the rate was the greater of the rate set by the General Assembly or 4 cents). Makes corresponding changes to GS 117-3.

Amends GS 115C-517 to provide that when a local board of education is unable to acquire or enlarge a suitable site, right-of-way, or easement, including utility easements necessary to support school facilities situated on a site, for a school, school building, school bus garage or parking area or access road suitable for school buses, or for other school facilities by gift or purchase, condemnation proceedings to acquire the site, right-of-way, or easement may be instituted by the local board of education under the provisions of GS Chapter 40A, and the determination of the local board of education of the land necessary for these purposes will be conclusive. Specifies that utility easements include easements for water, sanitary sewer, electric power, broadband, and telecommunications services. Effective July 1, 2024.

Adds tianeptine to the types of opiates or opioids considered a Schedule II controlled substance under GS 90-90. Applies to offenses on or after December 1, 2024.

Amends Section 4(a) of SL 1997-275, as amended, to allow the Halifax-Northampton Regional Airport Authority to lease any property, real or personal, belonging to the Airport Authority under terms the Authority deems proper. Specifies that Article 12 (Sale and Disposition of Property) of GS Chapter 160A does not apply to leases entered into by the Airport Authority. Changes the term of leases that the Halifax-Northampton Regional Airport Authority (Authority) may enter into concerning facilities related to the maintenance and furnishings of the air terminal from a term not to exceed 25 years to a term not to exceed 40 years. Also gives the Authority power to erect and construct buildings, hangars, shops, and other improvements and facilities, not inconsistent with or in violation of the agreements applicable to and the grants under which the real property of the Airport Authority is held and to lease those improvements and facilities for a term or terms not to exceed 40 years. Makes conforming changes.

Amends GS 65-43 by amending the definition of *qualified veteran*, as it applies to GS Chapter 65, Article 8A (Veterans Cemeteries), by removing the state residency requirements. Makes conforming changes to GS 65-43.2.

Intro. by Arp, K. Baker, Wray, Carson Smith.

[GS 7A, GS 65, GS 90, GS 115C, GS 117, GS 130A](#)

[View summary](#)

[Courts/Judiciary, Court System, Education, Elementary and Secondary Education, Health and Human Services, Health, Public Health, Military and Veteran's Affairs, Public Enterprises and Utilities, 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.*

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. SL 2024-17. Enacted June 27, 2024. Effective December 1, 2024, except as otherwise provided.

Intro. by Davis, N. Jackson.

[GS 7B, GS 14, GS 15A, GS 115C](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Criminal Law and Procedure](#)

H 1076 (2023-2024) [EXPRESSING GERMAN FRIENDSHIP.](#) Filed Jun 27 2024, *A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO WORK MORE CLOSELY WITH GERMANY ON TRADE ISSUES AND FOREIGN INVESTMENT, EXPRESSING SUPPORT FOR THE UNITED STATES-GERMANY ALLIANCE, CELEBRATING DECADES OF FRIENDSHIP BETWEEN NORTH CAROLINA AND GERMANY, STRENGTHENING FRIENDSHIP AND ECONOMIC TIES BETWEEN THE STATE OF NORTH CAROLINA AND GERMANY, ACKNOWLEDGING THE IMPACT OF GERMAN CULTURE AND CENTURIES OF GERMAN IMMIGRATION ON NORTH CAROLINA, AND REAFFIRMING THE BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND THE FEDERAL REPUBLIC OF GERMANY.*

Includes whereas clauses.

Recognizes the historic significance of the friendship and alliance between the US and Germany. Commends the people of Germany for achievements in promoting democracy, economic prosperity, and international cooperation. Applauds Germany for its continued partnership and economic cooperation with the State. Affirms the friendship and cooperation between Germany and the State and expresses commitment to strengthening these ties. Urges Congress to work closer with Germany on mutually beneficial trade relations to encourage increased investment and collaboration between German and American companies in the economy of both countries. Expresses to Congress full support for the longstanding alliance between the US America and Germany. Requires the Principal Clerk to transmit a copy of this resolution to the German Embassy and the Consulate-General of Germany, members of North Carolina's Congressional Delegation, the Clerk of the US House of Representatives, the Secretary of the US Senate, and the President.

Intro. by Reives, Bell, Adams, T. Brown.

[HOUSE RES](#)

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.*

Conference report makes the following changes to the 4th edition.

Makes organizational and technical changes.

Part I

Section 1.1

Amends GS 130A-330 (concerning local authority to require backflow preventers) to prohibit a public water system owned or operated by a local government unit from requiring periodic testing more frequently than once every three years for backflow preventers on residential irrigation systems that do not apply or dispose chemical feeds. Provides for immunity from civil liability for a public water system owned or operated by a local government, and its employees, including the Cross Connection Control Operator in Responsible Charge for the limitations on periodic testing. Allows a public water system owned or operated by a local government unit to accept the results of backflow preventer testing conducted by a plumbing contractor or a certified backflow prevention assembly tester approved by the public water system. Adds new defined term, *certified backflow prevention assembly tester*. Makes conforming changes to GS 130A-330's title and effective date.

Section 1.8

Changes the effective date of the act's changes to GS 160D-804(k) from October 1, 2024, to January 1, 2025.

Section 1.12

Amends the coverage provisions in GS 160D-804.1 (pertaining to performance guarantees) to remove bar on other securities from being required for maintenance of any improvement once completed to the satisfaction of a local government.

Part II

Section 2.7

Amends Section 9 of SL 2023-108, which amended the Residential Code to include three- and four-family dwellings, as follows. Amends option of the exit requirement allowing three- and four-family dwellings to have exits located through a common 2-hour fire resistant rated corridor to the public way, so that the option is just that the dwellings just have exits through a common 2-hour fire resistant rated corridor.

Adds new Section 2.8, as follows.

Requires the Recreational Vehicle Site Equipment Rule GFCI Rule to be implemented as follows. Notwithstanding Section 551.71(F)(2) of the 2023 North Carolina Electrical Code or any provision of the State Building Code (Code) or law to the contrary, for receptacles installed in recreational vehicle site equipment, ground-fault circuit-interrupter protection will only be required for 125-volt, single-phase, 15- and 20-ampere receptacles. Requires the NC Building Code Council (Council) to adopt a rule consistent with the above. Defines *council* and *code*. Sunsets this provision when the permanent rules become effective.

Adds new Section 2.9, as follows.

Requires the Electric Vehicle Supply Rule as it relates to Article 220, Branch-Circuit Feeder, and Service Local Calculations, and Section 220.57, Electric Vehicle Supply Equipment (EVSE) Load, of the 2023 North Carolina Electrical Code to be implemented as follows. Notwithstanding, these provisions, EVSE loads must not be required for the purpose of calculating loads for electrical feeder or service to dwellings subject to the North Carolina Residential Code (Residential Code). Requires

the Council to adopt a rule consistent with the above. Defines *council* and *code*. Sunsets this provision when the permanent rules become effective.

Adds new Section 2.10, as follows.

Requires the Emergency Responder Communication Coverage Rule (Exception 4. of Section 510.1, Emergency Responder Communication Coverage in New Buildings, of the North Carolina Fire Code) to be implemented as follows. Notwithstanding Exception 4. of Section 510.1, Emergency Responder Communication Coverage in New Buildings, of the North Carolina Fire Code, one-story buildings not exceeding 12,000 square feet with no below-ground areas are excepted from the requirements of Section 510.1. Defines *council* and *code*. Sunsets this provision when the permanent rules become effective.

Part III

Section 3.2

Extends the effective date of the act's changes to GS 87-43.3 from October 1, 2024, to January 1, 2025.

Section 3.5

Makes technical changes. Amends GS 160D-111 (local government review of affixed seals of design) so that its clarifying statement declaring that nothing in the section should be construed to prevent a local government from doing certain review tasks now encompasses reviewing plans, drawings, specifications, reports, or other work that requires a seal pursuant to GS Chapter 83A or GS Chapter 89C, the Code, or other relevant laws, before an architect or engineer seal is affixed, to ensure compliance with applicable codes, ordinances, or other design standards or requirements (was just reviewing work to determine whether seals of design are required to be affixed to work as required by law, or filing a complaint as outlined in GS 83A-14 or GS 89C-22, as applicable).

Part IV

Section 4.3

Changes the Environmental Management Commission's (EMC) review time for fast-track sewer extensions from 30 working days to within 45 days of receipt of a complete application. Adds new step to the process requiring EMC to perform an administrative review of a new application within ten days of receipt to see if it is complete so that the 45-day clock can start to run on the application review. Provides for notice by letter or electronic response to the applicant. Calls the substantive review of the application the technical review. Removes 10-working day response requirement to the applicant upon receipt of any requested supplement by the EMC as well as the limit on the EMC preventing it from requesting further materials once a request to supplement was sent to the applicant. Now gives the applicant 30 days to provide the requested additional information or else the application is returned. Requires EMC, after construction of the sewer system is completed, and within 14 days of receiving all necessary certifications from a professional engineer that the sewer system extension complies with all applicable rules, to issue a receipt of certification. Minimum Design Criteria Defines *complete application* and *alternative sewer system*. Specifies that applications for alternative sewer systems are not eligible for fast-track review. Makes conforming changes.

Removes provision providing that if the EMC fails to act on an application for any other permit within 90 working days after the applicant submits all information required by the EMC, the application is deemed approved.

Section 4.5

Amends GS 130A-337 (private compliance inspectors) to remove requirement that the local health department issue the Operation Permit or Authorization to Operate upon receipt of a completed compliance inspection document completed by a private compliance inspector.

Section 4.7

Amends GS 143-300.8 (defense of registered environmental health specialists, registered environmental health specialist interns, and registered environmental health associates) to allow DEQ to agree, in its sole discretion to an alternate arrangement with the local health department where DEQ pays more than half the judgment or settlement depending on the circumstances. Expands the scope of GS 143-300.8's provisions governing when DEQ will not pay a judgment on their behalf and/or the Attorney General will not provide them with a defense to include: (1) the listed individuals employed for local

health departments that do not have an annual agreement with DEQ (was, just individuals just contracted to work for those local health departments) and (2) those individuals that DEQ determines who failed to abide the annual agreement as determined by DEQ. Specifies that GS 143-300.8 applies to actions in which the registered environmental health specialist, registered environmental health intern, or registered environmental health associate, is named individually as a party, as well as contested cases brought in the Office of Administrative Hearings, pursuant to GS Chapter 150B, arising from the alleged acts or omissions of an authorized agent of DEQ, during which DEQ determines that the best course of action is to resolve the matter with a settlement payment to the petitioner to conclude the contested case and avoid any future litigation.

Section 4.14

Changes reference from water to wastewater system in 15A NCAC 18E .0204, the Construction Authorization Rule.

Section 4.16

Changes reference from signed and sealed signature to signed and sealed soils report in 15A NCAC 18E .0207, the Alternative Wastewater System Permitting Options Rule.

Section 4.21

Changes part of the implementation of 15A NCAC 18E .0508, the Available Space Rule, as follows. Now requires that wastewater systems that do not have a repair area in accordance with the stated requirements Paragraph shall only be used to treat DSE, and meet a TN effluent standard of 20 mg/l or less. Evidence of TN standards must be provided by applicable NSF/ANSI testing or approval as a TS-II wastewater system under these Rules and included in the IP, CA, or Notice of Intent. (Was, Wastewater systems with a rated capacity greater than 1,500 gallons per day that have a letter from NSF International stating that the system will comply with NSF/ANSI Standard 350 may eliminate the requirement for a repair area when installed in Group I soils.)

Section 4.22

Changes part of the implementation of 15A NCAC 18E .0601, the Location of Wastewater Systems Rule so that there is no setback to a stormwater collection system. (Was, Downslope interceptor or foundation drains and surface water diversions with a vertical cut of more than two feet, as measured on the ground surface from the edge of the feature must have a horizontal setback of 15 feet. Upslope and sideslope interceptor or foundation drains and surface water diversions with a vertical cut of more than two feet, as measured on the ground surface from the edge of the feature shall have a horizontal setback of ten feet.) Makes technical changes.

Section 4.40

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

Section 4.44

Changes references from Department guidance to the requirements of the rule itself in 15A NCAC 18E .1403, the Tank Material Requirements Rule. Makes technical changes.

Section 4.48

Changes the description of artificial turf in GS 143-214.7D so that has to be manufactured to allow water to drain through the backing of the turf in order for it to qualify as a built upon area under GS 143-214.7D. Makes technical changes.

Adds new Section 4.49 as follows

Adds new GS 162A-900 (concerning limitations on allocating service for residential development) prohibiting a local government unit from (1) requiring an applicant for water or sewer service for residential development to agree to any condition not otherwise authorized by law or (2) accept any offer by the applicant to consent to any condition, not otherwise authorized by law, including, without limitation, any of the following: (i) payment of taxes, impact fees or other fees, or contributions to any fund; (ii) adherence to any restrictions related to land development or land use, including those within the

scope of GS 160D-702(zoning regulations); or (iii) adherence to any restrictions related to building design elements within the scope of GS 160D-702. Prevents local government units from implementing a scoring system or preference system to allocate water or sewer service applicants for residential development that now includes four listed matters, including considering building design elements, setting minimum square footage, or requiring additional fire apparatus roads that are not in compliance with the required number of such roads set forth in the NC Residential Code. Defines *residential development* as new development of single-family or multi-family housing.

Adds new Section 4.50 as follows

Adds GS 130A-328 (concerning public water systems operating permits), pertaining to authorizations for water distribution systems, as follows. Establishes the time that DEQ has to review a complete application (defined) as 45 calendar days. Specifies that the 45-day review period begins when a professional engineer provides certification that the design meets or exceeds the Minimum Design Criteria developed by DEQ for the project. Requires DEQ's administrative review of an application to determine if all required information is included. Allows DEQ to send notice of a completed application by letter and electronic notice. Requires DEQ to return the application to the applicant if DEQ requests additional information to complete the technical review and the applicant does not provide that information within 30 days of DEQ's request. Pauses the 45-day review period while DEQ awaits any requested information. Unpauses the clock for the 45-day technical review period upon DEQ's timely receipt of requested information. Specifies that if DEQ goes beyond the technical review period, the authorization to construct will be deemed approved. Effective December 1, 2024, and applies to applications submitted on or after that date.

Adds new Section 4.51 as follows

Amends GS 130A-280 (scope of regulation of State public swimming pools) as follows. Exempts private pools serving a single family dwelling meeting the minimum requirements of GS 130A-280 which is offered to, and used by, individuals on a temporary basis utilizing a sharing economy platform and meeting all of six listed requirements. Defines a sharing economy platform means an online platform used to facilitate peer-to-peer transactions to acquire, provide, or share access to goods and services. Effective July 1, 2025.

Intro. by Krawiec, Jarvis, Lowe.

GS 58, GS 83A, GS 87, GS 89F, GS 90A, GS 113A, GS 130A, GS 136, GS 143, GS 150B, GS 153A, GS 160A, GS 160D, GS 162A

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

[View summary](#)

S 355 (2023-2024) **NORTH CAROLINA FARM ACT OF 2024. (NEW)** Filed Mar 22 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE AGRICULTURAL LAWS OF THIS STATE.*

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

Adds new Section 5.1-5.3, discussed below.

Section 5.1

Requires the Department of Environmental Quality (DEQ), pursuant to the powers relative to general permits and to permits for facilities not discharging to the surface waters of the State that are granted to the Environmental Management Commission (EMC) and delegated by the Commission to the Department, to extend the expiration of the seven specified general permits along with the certificates of coverage issued under those permits until September 30, 2026.

Section 5.2

Amends Section 40.7(a) of SL 2021-180 (2021 appropriations act) to allow DEQ to enter into a memorandum of understanding with another State agency for the purposes of implementing Section 40.7 (directing stream debris removal funds be used for the removal and disposal of waterway debris from waters of the State located in a targeted river basin or other flood mitigation strategies throughout the State prioritized through the Flood Resiliency Blueprint developed in the act). Makes clarifying changes.

Amends Section 40.7(e)(2) of SL 2021-180 to include the French Broad River Basin in the targeted river basins.

Allows DEQ to contract with one or more third parties for development and implementation of the Flood Resiliency Blueprint, and exempts it from Articles 3 and 3C of GS Chapter 143 with respect to those contracts.

Section 5.3

Amends GS 106-701 (right to farm defense in nuisance actions) by adding Type I compost facilities for the production of compost for commercial purposes to those meeting the definition of *agricultural operation*.

Section 15

Amends GS 105-130.34 (credit for certain real property donations as follows). Sets the aggregate amount of credit allowed to a corporation for one or more qualified donations (made directly or indirectly) at \$500,000. Specifies that the credit may not be taken for the year in which the donation is made but may be taken for the taxable year beginning during the calendar year in which the application for the credit becomes effective. Clarifies that a qualified donation must meet all of the listed conditions in GS 105-130.34(a1). Provides for an application for the credits provided with a filing deadline of April 15 of the following the calendar year when the donation was made. Provides for a form prepared by the Secretary. Requires the applicant provide a copy of the certificate by the Department of Natural and Cultural Resources identifying which of the valid public benefits the donation was suitable for. Amends the self-contained appraisal report so that for fee simple donations of real property the corporation (was, taxpayer) may submit documentation of the county's appraised value of the donated property, as adjusted by the sales assessment ratio, in lieu of an appraisal report. (Prior version did not provide for sales adjustment ratio or for in lieu of appraisal report.) Requires donating corporations to maintain and make available for the Secretary any records the Secretary considers necessary to substantiate the amount of credit that the corporation is entitled to. Makes organizational, technical, and conforming changes.

Requires the Secretary of Revenue (Secretary) to calculate the total amount of credits claimed from applications. If the total amount of credits claimed for donations made in a calendar year exceeds this maximum amount, the Secretary will allow a portion of the credits claimed by allocating the maximum amount in credits in proportion to the size of the credit claimed by each taxpayer. Provides for notice of reduction of credit to taxpayer. Specifies that the Secretary's allocations based on applications filed are final and shall not be adjusted to account for credits applied for but not claimed.

Provides for a total aggregate amount of all credits allowed to taxpayers under this section and GS 105-153.11 (credit for certain real property donations) for donations made in a taxable year to not exceed \$5 million of which \$3.25 million is reserved for credits to taxpayers that have made a qualified donation of real property for forestland or farmland conservation. If funds reserved for credits for qualified donations of real property for forestland or farmland conservation remain after disposition of all timely filed applications for that type of credit, requires the Secretary to allocate any funds remaining to credits for other types of qualified donations. Sets priority for those credits. Provides for reopening of application period if the Secretary allows with deadline of October 15. The Secretary's determinations based on additional applications timely filed are final.

Amends GS 105-153.11 (credit for certain real property donations) as follows. Specifies that the credit may not be taken for the year in which the donation is made but may be taken for the taxable year beginning during the calendar year in which the application for the credit becomes effective. Clarifies that a qualified donation must meet all of the listed conditions in GS 105-153.11(a1). Provides for an application for the credits provided with a filing deadline of April 15 of the following the calendar year when the donation was made. Provides for a form prepared by the Secretary. Requires the applicant provide a copy of the certificate by the Department of Natural and Cultural Resources identifying which of the valid public benefits the donation was suitable for. Specified that a taxed pass-through entity (defined) that engages in an activity that makes it eligible for a credit under this section as an entity may not take the credit at the entity level but must pass through to each of its owners the owner's distributive share of the credit for which the taxed pass-through entity qualifies. Specifies that maximum dollar limits and other

limitations that apply in determining the amount of credit available to an owner of a pass-through entity apply to the same extent in determining the amount of a credit for which the taxed pass-through entity qualifies. Requires the Secretary to calculate the total amount of credits claimed from applications. If the total amount of credits claimed for donations made in a calendar year exceeds this maximum amount, the Secretary will allow a portion of the credits claimed by allocating the maximum amount in credits in proportion to the size of the credit claimed by each individual or pass-through entity. Provides for notice of reduction of credit to individual/pass-through entities. Specifies that the Secretary's allocations based on applications filed are final and shall not be adjusted to account for credits applied for but not claimed. Requires an individual or pass-through entity to maintain and make available for the Secretary any records the Secretary considers necessary to substantiate the amount of credit that the corporation is entitled to. Makes organizational, technical, and conforming changes. Requires the Department of Revenue to include the following four prongs of information in the economic incentives report: (1) number of individuals and pass-through entities that took the credit allowed; (2) total amount of credits claimed for conservation purposes; (3) total amount of credits carried forward; and (4) total cost to the General Fund of the credits taken.

Amends the effective date so it also applies to donations made on or after January 1, 2025, and expires for taxable years beginning on or after January 1, 2027, for donations made on or after January 1, 2027.

Intro. by Jackson.

[STUDY, GS 103, GS 105, GS 106, GS 113, GS 113A, GS 122D, GS 146, GS 153A, GS 160A](#)

[View summary](#)

[Agriculture, Animals, Development, Land Use and Housing, Land Use, Planning and Zoning, Environment, Environment/Natural Resources, Government, State Agencies, Department of Agriculture and Consumer Services, Department of Natural and Cultural Resources \(formerly Dept. of Cultural Resources\), Department of Environmental Quality \(formerly DENR\), Tax, Local Government, Public Enterprises and Utilities, Transportation](#)

S 425 (2023-2024) [HHS OMNIBUS. \(NEW\)](#) Filed Mar 29 2023, *AN ACT MAKING MODIFICATIONS TO LAWS PERTAINING TO HEALTH AND HUMAN SERVICES.*

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

Makes organizational and technical changes. Amends the act's long title.

Part XI

Section 11

Removes references to Part 3A, the Hospital Violence Protection Act. Amends the first prong of the summary report requirement under GS 131E-88(b1) so that the report must contain the process for the development of the security risk assessment, including the types of professionals who participated in the development of the assessment (was, types of professionals involved in the assessment only). Adds new reporting prong so that the hospital must also include any barriers to fully implement the security risk assessment findings, and if applicable, any barriers to the required presence of a law enforcement officer, and the hospital's planned efforts to overcome these barriers by June 1, 2025. Makes organizational change to the effective date.

Adds the following new content:

Part XIII

Section 13

Increases the territorial jurisdiction of a UNC or UNC Health Care System campus police officer under GS 116-40.5 so that it also includes property managed or controlled by the officer's employing institution (currently just property owned or leased). Replaces references to "teaching hospitals affiliated but not part of any UNC constituent institution" to "the UNC Health Care

System." Amends UNC Health Care System's Board of Directors' powers under GS 116-350.15(c)(14) as amended, so that it can also designate, employ, expend funds for, and otherwise engage legal counsel (including private counsel) in any matter it deems necessary to represent the interests of the system and its affiliates, component units, officers, or employees (currently, can just designate counsel and legal staff to represent it at certain commitment hearings held at UNC hospitals and affiliates). Makes technical and conforming changes to GS 116-350.105 (defense of actions of covered persons under system self-insurance plans). Adds new GS 131E-14.3 (lease or sale of hospital facilities to certain political subdivisions) allowing a municipality or hospital authority, or a nonprofit corporation controlled or established by a municipality or hospital authority, to enter into any transaction or agreement with a political subdivision of the State established under GS 116-350.5, or any of that political subdivision's component units or System affiliates, for the direct or indirect lease, sale, conveyance, assignment, or acquisition of, or acceptance of membership interest in, a hospital facility or any part of a hospital facility, notwithstanding any applicable State law. Clarifies that no party to a transaction or agreement permitted by GS 131E-14.3 is required to comply with GS 131E-8 (sale of hospital facilities to nonprofits), GS 131E-13 (lease or sale of hospital facilities to or from for-profit or nonprofit corporations or other entities by municipalities and hospital authorities), or GS 131E-14 (lease or sale of hospital facilities to certain nonprofit corporations) in conjunction with entering into or effectuating any such transaction or agreement. Effective July 1, 2024.

Part XIV

Section 14

Encourages the Secretary of the Department of Health and Human Services (DHHS) and the local management entity/managed care organizations (LME/MCOs) to enter into any intergovernmental agreements allowable under federal and State law with the Eastern Band of Cherokee Indians to facilitate the use of tribal health facilities by any residents of the State seeking voluntary admission to those facilities or subject to involuntary commitment under State law. Specifies that these agreements may address matters such as transportation of individuals under involuntary commitment and assurances of compliance with State and tribal court orders, and other matters, as necessary. By February 1, 2025, requires DHHS, in consultation with the LME/MCOs, to report to the specified NCGA committee on whether any intergovernmental agreements have occurred and whether any legislative changes are necessary to further facilitate the use of tribal health facilities by state residents.

Part XV

Section 15

Amends Section 9D.9 of SL 2023-134 (2023 Appropriations Act) so that the \$900,000 in nonrecurring funds appropriated to the Department of Health and Human Services, Division of Child Development and Early Education, to be allocated to the North Carolina Partnership for Children Inc. (NCPC) to provide the State portion of funding for the Tri-Share Child Care pilot program, does not revert at the end of the 2023-25 fiscal biennium but remains available for costs associated with the pilot program until spent. Designates NCPC as accountable for the programmatic and fiscal integrity of the Tri-Share Child Care program and services. Directs NCPC to implement standardized procedures to ensure the pilot program is operated consistently among all regional facilitator hubs. Sets a nine-month deadline from the date of the act for NCPC and the regional facilitator hubs to design the pilot program, establish the program infrastructure, and recruit participating child care providers and employers. Permits NCPC to contract with a third-party administrator to assist with centralized enrollment, payment processing, and other financial transactions. Requires NCPC to conduct financial and compliance monitoring of the regional facilitator hubs and the third-party administrator, if applicable. Requires program eligibility be based on standardized criteria. Makes technical, clarifying, and conforming changes.

Part XVI

Section 16

Directs the area director of Trillium Health Resources to submit for approval a new alternative board structure to the DHHS Secretary. Allows the Secretary to approve the new alternative board structure and appoint the initial board members without each county in the catchment area adopting a resolution approving the board structure or appointing the board members.

Part XVII

Section 17

Amends GS 90-3 (review panel for the state's medical board) as follows: (1) now allows the public member to be a person who has previously served on that board, (2) provides for three-year terms ending December 31 of the last year of the term, (3) establishes term limits of two terms, (4) expands the criteria that the review board must consider in making member recommendations to include medical specialty.

Intro. by Krawiec, Burgin, Corbin.

GS 7B, GS 90, GS 108A, GS 108D, GS 110, GS 116, GS 122C, GS 130A, GS 131E, GS 135, GS 153A

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Procedure, Juvenile Law, Abuse, Neglect and Dependency, Criminal Justice, Corrections (Sentencing/Probation), Education, Preschool, Government, State Agencies, UNC System, Department of Health and Human Services, Local Government, Native Americans, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance

S 559 (2023-2024) **CHARTER SCHOOLS/PENSION/ESOP. (NEW)** Filed Apr 4 2023, *AN ACT TO ENABLE THE BOARD OF DIRECTORS OF CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; TO CREATE ADDITIONAL FLEXIBILITY FOR CHARTER SCHOOLS TO BECOME A PARTICIPATING EMPLOYING UNIT IN THE STATE HEALTH PLAN; TO MAKE CONFORMING AND EFFECTIVE DATE CHANGES TO PENDING LEGISLATION FOR THE NORTH CAROLINA FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND; TO ADDRESS PARENTAL LEAVE FOR CHARTER SCHOOL EMPLOYEES; AND TO CLARIFY THE DEFINITION OF A HISTORICALLY UNDERUTILIZED BUSINESS AS IT RELATES TO AN EMPLOYEE STOCK OWNERSHIP PLAN.*

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

Adds the following new content and makes conforming changes to the act's titles.

Amends GS 135-48.54, which requires a charter school's board of directions to elect whether to become a participating employer in the State Health Plan (Plan), no later than two years after signing the written charter. Amends this provision to now set out different procedures under which the school may elect to participate in the Plan, depending on whether the election is made no later than two years from the signing of the written charter or at a time after two years from the date of the signing of the written charter. Provides that when the election is made no later than two years from the signing, then the charter school becomes a participating employing unit. Sets out a process under which the board of directors of the school gives written notice of the election and the resulting status of the school as a participating unit to the Plan, Charter Schools Review Board, and State Board of Education. For those elections made after two years from the signing, requires the school's board of directors to file an application with the Plan's Board of Trustees for participation in the Plan; sets out the conditions and procedure for application approval. Makes technical, clarifying, and conforming changes. Makes conforming changes to GS 135-1. Effective 30 days after the act becomes law.

Provides that if S319 (Insurance Rev/Online Auctions/Firefighters) becomes law, then the following changes are made, effective January 1, 2025. Amends GS 58-86-45 to increase the amount of the lump sum payments by firefighters or rescue squad workers for retroactive membership in the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund from \$10 to \$15 per month. Makes technical changes. Amends GS 58-86-55 to provide that a retired firefighter receiving a pension will receive \$175 per month, effective January 1, 2025 (was, July 1, 2024).

Also makes the following changes if S 319 becomes law. Specifies that Sections 11.1, 11.2, 11.3 (as amended) of that act, and Section 3(a) of this act apply: (1) to membership contributions due to the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund (Pension Fund) on or after January 1, 2025 and that any membership contribution payments made to the Fund on or before March 31, 2025, for service in the 2024 calendar year shall will be in the amount of \$10/month of service; (2) to pension benefit amounts payable from the Pension Fund due to a member or beneficiary on or after January 1, 2025; specifies that if a member or beneficiary becomes eligible to receive a pension benefit from the Pension Fund on or

before December 31, 2024, but the pension benefit amount is paid from the Pension Fund on or after January 1, 2025, then the pension amount benefit due to the member or beneficiary shall be the amount applicable to the pension benefit amount that was effective for each respective month to which the benefit applies. Makes Section 11.1 through 11.3 of the act effective January 1, 2025, instead of July 1, 2024.

Amends GS 115C-218.90 to allow a charter school to require as a condition of a contract with an education management organization or charter management organization to employ and provide teachers, that paid parental leave be provided to those teachers. Makes conforming changes. Applies beginning with the 2024-25 school year.

Amends GS 143-128.4 by amending the definition of historically underutilized business to include an Employee Stock Ownership Plan (ESOP) company in which at least 51% of the plan participants (was, stock is owned by one or more persons who) are members of at least one of the specified groups. Adds that an ESOP company applying for certification as a historically underutilized business must provide an attestation that it meets the requirements along with documentation supporting the attestation. Effective July 1, 2024.

Intro. by Krawiec, Ford.

UNCODIFIED, GS 58, GS 115C, GS 135, GS 143

[View summary](#)

Business and Commerce, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Employment and Retirement, Government, Public Safety and Emergency Management, Health and Human Services, Health, Health Insurance

S 630 (2023-2024) [VARIOUS CONSTITUTIONAL AMENDMENTS \(NEW\)](#). Filed Apr 5 2023, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE ALL VOTERS TO PRESENT PHOTOGRAPHIC IDENTIFICATION BEFORE VOTING, NOT JUST THOSE PRESENTING TO VOTE IN PERSON; AND TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE PERCENT.*

Senate amendment to the 2nd edition makes the following changes.

Removes the proposed amendment to Section 1 of Article VI of the North Carolina Constitution that would have specified that only a US citizen is allowed to vote.

Makes conforming changes to the act's long title.

Intro. by B. Newton, Overcash, Daniel.

CONST

[View summary](#)

Constitution, Government, Elections, Tax

S 743 (2023-2024) [BROADBAND/GRANT CHANGES. \(NEW\)](#) Filed Apr 6 2023, *AN ACT TO MAKE VARIOUS BROADBAND CHANGES AND TO DIRECT CERTAIN GRANT FUNDS TO THE HOUSING TRUST FUND.*

House committee substitute replaces the 2nd edition in its entirety with the following. Changes the act's titles.

Section 1.1

Establishes the Broadband, Equity, Access and Deployment (BEAD) grant program. Contains 22 defined terms, including Broadband Serviceable Location (BSL: a location where broadband service is or could be installed, as identified by the Federal Communications Commission for purposes of its Broadband DATA Maps), NTIA (National Telecommunications and Information Administration of the US Department of Commerce), and IIJA (Infrastructure Investment and Jobs Act).

Specifies if there's any conflict between the act and the IJJA, the IJJA takes precedence. Requires the Department of Information Technology (Department) to report to the specified NCGA committee any actions to conform to federal law if an actual conflict arises. Prevents the Broadband Infrastructure Office in the Department of Information Technology (Office) from prescribing the rates of service which applicants may deliver, nor can the Office indirectly regulate the rates of service which applicants may deliver by affording any preference or differentiated scoring weight based on the specific rate of service which an applicant may deliver.

Establishes the Growing Rural Economies with Access to Technology for Broadband Equity, Access, and Deployment Fund (GREAT 3.0 Fund) as a special revenue fund in the Department for infrastructure costs associated with an eligible project. Specifies that if the Department has entered into grant agreements for deployment of service to all unserved and underserved locations in the State, it may use any remaining funds in the GREAT 3.0 Fund for digital literacy and awareness or other purposes consistent with nondeployment activities described in the BEAD notice of funding opportunity.

Requires the Office to prioritize projects proposed to address the following in order: (1) unserved BSL's; (2) underserved BSL's and (3) community anchor institutions. Provides for a process for project proposals. Provides for a formal challenge process developed by the Office. Requires Office to develop a prequalification process to identify potential grantees with the financial, managerial, operational, and technical capacity to complete an eligible project. Sets forth ten required pieces of information that an applicant must include in a grant application to the Office. Provides for a competitive selection process with a scoring system that conforms with the published regulations and guidelines under the IJJA. Provides for priority to applications with the most number of new unserved and underserved areas in case of a tie based on points. Provides for an award agreement with the Office. Requires the Office to monitor each project to ensure: (1) that the grantee is making adequate progress towards project completion by the required deadline; (2) compliance with all relevant and applicable federal, State, and local laws, rules, and regulations, and (3) compliance with all NTIA guidelines for the BEAD Program and any guidelines developed by the Office. Requires the Office to require a letter of credit or an alternative form of satisfactory performance security, such as a performance bond, from the grantee to secure the grantee's performance of its obligations under the grant contract consistent with the federal requirements. Requires the Department to submit an annual report to the specified NCGA committees upon completion of each funding round containing at least six listed prongs of information, including the number of grant applied for and awarded, a summary of areas receiving the grants, any breach of agreements or grant fund forfeitures or reductions in funding. After two rounds of selection requires the Department to submit a progress report to the specified NCGA committee and the Fiscal Research Division containing four required pieces of information, including the remaining number of unserved and underserved areas of the State, remaining funds in the GREAT 3.0 program, and the estimated amount of funding needed to award projects serving the remaining unfunded and underfunded areas of the State. Allows the Department to retain up to two percent of allocated BEAD grant funds for planning and administrative purposes.

Removes the December 31, 2024, expiration date to the changes made in Sections 38.10(b) through (k) of SL 2021-180 (2021 appropriations act).

Requires the State Controller to establish a BEAD Reserve (Reserve) in the General Fund to maintain federal funds received from the IJ. Directs the State Controller to transfer funds into the GREAT 3.0 program fund only as needed to meet the appropriations set out in subsequent legislation. Specifies that funds reserved in the Reserve do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

Section 2.1

Specifies that of the funds appropriated to the Department from the State Fiscal Recovery Fund and the Coronavirus Capital Projects Fund for projects under the Completing Access to Broadband grant program (Program) in GS 143B-1373.1, the Department must utilize up to \$190 million to provide the county project cost responsibility required in GS 143B-1373.1(e) and the State project cost responsibility for the 37 counties that have committed to the Department to participate in the Program and provide the county match as of May 1, 2024. Allows a county to decline to accept any portion of the county project cost responsibility funding from the Department by notifying the Department within 30 days of the effective date of the act (July 1, 2024).

Amends GS 143B-1373.1 as follows. Changes the amount that a broadband service provider must (was, may) provide for a project from up to 30% of the project to at least 30% of the project. Increases the Office's required (was discretionary) contribution amount of up to 70% of the project (was, 35%). Removes language requiring a county to provide a certain amount from funds received from the American Rescue Plan Act. Makes technical and conforming changes. Effective July 1, 2024, and applies to grant funding requests submitted on or after that date.

Section 3.1

Effective June 30, 2024, specifies that the directed grant in the sum of \$35 million in in nonrecurring funds for the 2022-2023 fiscal year to be provided by the Office of State Budget and Management – Special Appropriations to Dare County to construct affordable housing will not be used for that purpose but will instead revert to the Housing Trust Fund on June 30, 2024.

Section 4.1

Sets forth general effective date of July 1, 2024 for the act, unless otherwise provided.

Intro. by Hise, Krawiec.

APPROP, Dare, GS 143B

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Information Technology, Office of Information Technology Services, Office of State Budget and Management

S 915 (2023-2024) **GENERAL ASSEMBLY APPOINTMENTS**. Filed Jun 26 2024, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES*.

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. SL 2024-12. Enacted June 27, 2024. Effective June 27, 2024.

Intro. by Rabon.

UNCODIFIED

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Court System, Government, General Assembly, State Government, Executive

S 916 (2023-2024) **ADJOURNMENT RESOLUTION**. Filed Jun 26 2024, *A JOINT RESOLUTION ADJOURNING THE 2023 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A SERIES OF DATES CERTAIN AND PROVIDING FOR THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING ON THOSE DATES AND ADJOURNING THE 2023 REGULAR SESSION OF THE GENERAL ASSEMBLY SINE DIE THEREAFTER*.

Senate amendment to the 1st edition makes the following changes.

Changes the following dates that the House and Senate will reconvene to July 29-August 1 (was, August 1), September 9-11 (was, September 25), November 19-22 (was, November 18-22) and December 11-13 (was December 30). Adds a session on October 9, during which they can consider the same issues set out in the act for the earlier reconvened sessions.

Intro. by Rabon.

JOINT RES

[View summary](#)

Government, General Assembly

LOCAL/HOUSE BILLS

H 1064 (2023-2024) [VARIOUS LOCAL PROVISIONS III \(NEW\)](#). Filed May 7 2024, *AN ACT TO MAKE CHANGES TO VARIOUS LOCAL ACTS*.

AN ACT TO MAKE CHANGES TO VARIOUS LOCAL ACTS. SL 2024-14. Enacted June 27, 2024. Effective June 27, 2024, except as otherwise provided.

Intro. by Miller.

Burke, Caldwell, Davie, Forsyth, Iredell, Jackson, Jones,
Mecklenburg, Moore, New Hanover, Polk, GS 18B, GS 115C, GS
160A

[View summary](#)

[Alcoholic Beverage Control, Development, Land Use and
Housing, Education, Government, Elections, Transportation](#)

LOCAL/SENATE BILLS

S 912 (2023-2024) [ELECTIONS CHANGES FOR WATAUGA ED & COUNTY BDS](#). Filed Jun 10 2024, *AN ACT TO ALIGN THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF EDUCATION WITH THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF COMMISSIONERS, TO ESTABLISH FOUR-YEAR TERMS FOR ALL MEMBERS OF THE WATAUGA COUNTY BOARD OF EDUCATION, AND TO PROVIDE THAT ANY ALTERATION TO THE STRUCTURE OF THE WATAUGA COUNTY BOARD OF COMMISSIONERS APPROVED IN A REFERENDUM SHALL TAKE EFFECT IN 2032*.

AN ACT TO ALIGN THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF EDUCATION WITH THE DISTRICTS OF THE WATAUGA COUNTY BOARD OF COMMISSIONERS, TO ESTABLISH FOUR-YEAR TERMS FOR ALL MEMBERS OF THE WATAUGA COUNTY BOARD OF EDUCATION, AND TO PROVIDE THAT ANY ALTERATION TO THE STRUCTURE OF THE WATAUGA COUNTY BOARD OF COMMISSIONERS APPROVED IN A REFERENDUM SHALL TAKE EFFECT IN 2032. SL 2024-13. Enacted June 27, 2024. Effective June 27, 2024, except as otherwise provided.

Intro. by Hise.

Watauga

[View summary](#)

[Education, Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 44: [CONST. AMENDMENT/REPEAL LITERACY TEST.](#)

House: Withdrawn From Com

House: Added to Calendar

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

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 74: [CONSTITUTIONAL AMENDMENT/COS VACANCIES. \(NEW\)](#)

House: Withdrawn From Cal

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

H 98: RIGHT TO TRY INDIVIDUALIZED TREATMENTS. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

H 198: DOT LEGISLATIVE CHANGES.-AB

Senate: Veto Overridden

House: Ch. SL 2024-15

H 199: DMV PROPOSED LEGISLATIVE CHANGES.-AB

House: Concurred On 3rd Reading

House: Ordered Enrolled

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

House: Concurred On 3rd Reading

House: Ordered Enrolled

H 237: VARIOUS CRIMINAL AND ELECTION LAW CHANGES. (NEW)

Senate: Veto Overridden

House: Ch. SL 2024-16

H 250: PUBLIC SAFETY/OTHER CHANGES. (NEW)

Senate: Conf Com Appointed

House: Conf Report Adopted

House: Added to Calendar

House: Conf Report Adopted

Senate: Conf Com Reported

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

House: Ordered Enrolled

H 426: VARIOUS ENVIRONMENTAL AMENDMENTS. (NEW)

House: Withdrawn From Com

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 556: TENANCY IN COME-NOTARY/SMALL CLAIMS CHANGES. (NEW)

House: Ratified

House: Pres. To Gov. 6/27/2024

H 591: MODERNIZE SEX CRIMES. (NEW)

House: Withdrawn From Com

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

H 593: VARIOUS LOCAL LAWS (NEW).

House: Concurred On 3rd Reading

House: Ordered Enrolled

H 690: NO CENTRL BANK DIGITAL CURRENCY PMTS TO STATE. (NEW)

House: Ratified

House: Pres. To Gov. 6/27/2024

H 834: JUVENILE JUSTICE MODIFICATIONS. (NEW)

Senate: Veto Overridden

House: Ch. SL 2024-17

H 900: SUBSTITUTE CERTAIN CIHS PARTNERS/WAKE.

House: Ratified

House: Pres. To Gov. 6/27/2024

H 910: CONFIRM TODD BROWN/SPECIAL SUPERIOR CT. JUDGE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 942: SHALOM ACT.

House: Ratified

House: Pres. To Gov. 6/27/2024

H 971: HUMAN TRAFFICKING CHANGES. (NEW)

House: Ratified

House: Pres. To Gov. 6/27/2024

H 984: REMOVAL OF SQUATTERS FROM PRIVATE PROPERTY.

Senate: Special Message Received From House

Senate: Passed 1st Reading

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

H 1071: USE METHODS OF CERTAIN GROUPS/VOTER ROLLS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

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 1072: REQUIRE DISCLAIMER/USE OF AI IN POLITICAL ADS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

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 1074: CONSTITUTIONAL AMENDMENT/CITIZENS-ONLY VOTING.

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

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 1076: EXPRESSING GERMAN FRIENDSHIP.

House: Filed

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

Senate: Conf Com Reported

House: Conf Com Reported

House: Added to Calendar

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

House: Conf Report Failed

House: Conf Rpt Recon

House: Conf Report Adopted

Senate: Ordered Enrolled

S 303: VARIOUS COURT CHANGES. (NEW)

Senate: Ratified

S 332: 2023 APPROPRIATIONS ACT CHANGES. (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 355: NORTH CAROLINA FARM ACT OF 2024. (NEW)

House: Conf Com Appointed

Senate: Conf Com Reported

House: Added to Calendar

Senate: Conf Com Reported

House: Conf Report Adopted

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

Senate: Ordered Enrolled

S 356: CONSTITUTIONAL AMENDMENT/PHOTO ID. (NEW)

House: Withdrawn From Cal

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

S 357: ADJUSTMENTS TO THE 2023 APPROPRIATIONS ACT. (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 425: HHS OMNIBUS. (NEW)

House: Added to Calendar

House: Conf Com Reported

House: Added to Calendar

House: Conf Report Adopted

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

Senate: Ordered Enrolled

S 445: RECORDING OF COURT-FILED DOCUMENTS.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 527: ABC OMNIBUS 2023-24. (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 559: CHARTER SCHOOLS/PENSION/ESOP. (NEW)

House: Conf Com Reported

House: Added to Calendar

Senate: Conf Com Reported

House: Conf Report Adopted

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

Senate: Ordered Enrolled

S 565: REVISE AUTOMATIC EXPUNCTION. (NEW)

Senate: Ratified

S 607: REGULATORY REFORM ACT OF 2024. (NEW).

House: Special Message Sent To Senate

Senate: Special Message Received For Concurrence in H Com Sub

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

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 630: VARIOUS CONSTITUTIONAL AMENDMENTS (NEW).

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

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

S 640: AMEND OCCUPATIONAL LICENSING BOARD STATUTES. (NEW)

Senate: Special Message Received For Concurrence in H Com Sub

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

S 743: BROADBAND/GRANT CHANGES. (NEW)

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Special Message Sent To Senate

Senate: Special Message Received For Concurrence in H Com Sub

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

S 802: C-PACE PROGRAM.

Senate: Concurred In H Amend S802v3

Senate: Ordered Enrolled

S 914: BOG VACANCY.

Senate: Adopted

S 915: GENERAL ASSEMBLY APPOINTMENTS.

Senate: Ratified

Senate: Ch. SL 2024-12

S 916: ADJOURNMENT RESOLUTION.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

House: Rules Suspended

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

LOCAL BILLS

H 909: VARIOUS LOCAL PROVISIONS I. (NEW)

House: Concurred On 3rd Reading

House: Ordered Enrolled

H 911: VARIOUS LOCAL PROVISIONS II. (NEW)

House: Concurred On 3rd Reading

House: Ordered Enrolled

H 1064: VARIOUS LOCAL PROVISIONS III (NEW).

House: Ratified

House: Ch. SL 2024-14

S 902: DURHAM COUNTY OCCUPANCY TAX MODIFICATIONS.

House: Withdrawn From Com

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 912: ELECTIONS CHANGES FOR WATAUGA ED & COUNTY BDS.

Senate: Ratified

Senate: Ch. SL 2024-13

© 2024 School of Government The University of North Carolina at Chapel Hill

This work is copyrighted and subject to "fair use" as permitted by federal copyright law. No portion of this publication may be reproduced or transmitted in any form or by any means without the express written permission of the publisher. Distribution by third parties is prohibited. Prohibited distribution includes, but is not limited to, posting, e-mailing, faxing, archiving in a public database, installing on intranets or servers, and redistributing via a computer network or in printed form. Unauthorized use or reproduction may result in legal action against the unauthorized user.

[Print Version](#)