

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SESSION LAW 2020-69
HOUSE BILL 1072**

AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND SESSION LAWS AND TO PROVIDE THAT THE REGISTER OF DEEDS DOES NOT NEED TO VERIFY THE CAPACITY OR AUTHORITY OF THE PERSON LISTED AS THE DRAFTER OF A DEED OR DEED OF TRUST, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 1C-1829 reads as rewritten:

"§ 1C-1829. Enforcement of foreign judgments.

Subject to the provisions of Article 17 and ~~18-20~~ of this Chapter:

- ~~(a)~~(1) If an action is brought to enforce a judgment of another jurisdiction expressed in a foreign money and the judgment is recognized in this State as enforceable, the enforcing judgment shall be entered as provided in G.S. 1C-1826, whether or not the foreign judgment confers an option to pay in an equivalent amount of United States dollars.
- ~~(b)~~(2) A foreign judgment may be filed or docketed in accordance with any rule or statute of this State providing a procedure for its recognition and enforcement.
- ~~(c)~~(3) A satisfaction or partial payment made upon the foreign judgment, on proof thereof, shall be credited against the amount of foreign money specified in the judgment, notwithstanding the entry of judgment in this State.
- ~~(d)~~(4) A judgment entered on a foreign-money claim only in United States dollars in another state shall be enforced in this State in United States dollars only."

SECTION 1.5. G.S. 28A-2-6(h) reads as rewritten:

"(h) Notice of Transfer. – A notice to transfer an estate proceeding brought pursuant to G.S. 28A-2-4(a)(4) must be served within 30 days after the moving party is served with a copy of the pleading requesting relief pursuant to G.S. 28A-2-4(a)(4), or in the case of the clerk of superior court, prior to or at the first hearing duly noticed in ~~such the~~ estate proceeding and prior to the presentation of evidence by the parties, including a hearing at which an order of continuance is entered. Failure to timely serve a notice of transfer of ~~a trust an estate~~ proceeding is a waiver of any objection to the clerk of superior court's exercise of jurisdiction over the ~~trust estate~~ proceeding then pending before the clerk. When a notice of transfer is duly served and filed, the clerk shall transfer the proceeding to the appropriate court. The proceeding after the transfer is subject to the provisions of the General Statutes and to the rules that apply to actions initially filed in the court to which the proceeding was transferred."

SECTION 2. G.S. 36C-8B-13(b) reads as rewritten:

"(b) A special-needs fiduciary may exercise the decanting power provided in G.S. 36C-8B-11 over the principal of a first trust as if the fiduciary had authority to distribute principal to a beneficiary with a disability ~~subject to expanded distributive discretion~~ if both of the following conditions are satisfied:

- (1) A second trust is a special-needs trust that benefits the beneficiary with a disability.



- (2) The special-needs fiduciary determines that exercise of the decanting power will further the purposes of the first trust."

SECTION 3.(a) The heading of Article 49 of Chapter 58 of the General Statutes reads as rewritten:

"Article 49.

"Determination of Jurisdiction Over Providers of Health Care ~~Benefits; Regulation of Multiple Employer Welfare Arrangements, Benefits.~~"

SECTION 3.(b) G.S. 58-50-40(a)(1) reads as rewritten:

- "(1) "Group health insurance" means any policy described in G.S. 58-51-75, 58-51-80, or 58-51-90; any group insurance certificate or group subscriber contract issued by a service corporation pursuant to Articles 65 and 66 of this Chapter; any health care plan provided or arranged by a health maintenance organization pursuant to Article 67 of this Chapter; or any multiple employer welfare arrangement as defined in ~~G.S. 58-50A-60(a) [58-50A-1].~~G.S. 58-50A-1."

SECTION 3.(c) G.S. 58-50-61(a)(10) reads as rewritten:

- "(10) "Insurer" means an entity that writes a health benefit plan and that is an insurance company subject to this Chapter, a service corporation under Article 65 of this Chapter, a health maintenance organization under Article 67 of this Chapter, or a multiple employer welfare arrangement under ~~Article 49~~Article 50A of this Chapter."

SECTION 3.(d) G.S. 58-50-115(c) reads as rewritten:

"(c) A health benefit plan is not subject to this Act if it provides health benefits for employers who are employer members of a Path 2 MEWA pursuant ~~to~~to Article 50A of this Chapter through a policy issued to the Path 2 MEWA."

SECTION 3.(e) G.S. 58-50A-60 reads as rewritten:

"§ 58-50A-60. Multiple employer welfare arrangements; definition; administrators.

(a) Repealed by Session Laws 2019-202, s. 3(a), effective October 1, 2019, and applicable to contracts entered into, amended, or renewed on or after January 1, 2020.

(b) Each insurer licensed to do business in this State that administers a MEWA shall, at the request of the Commissioner, provide the Commissioner with such information regarding the insurer's administrative services contract or contracts with such MEWA or MEWAs that the Commissioner requires. No unlicensed insurer shall administer any MEWA."

SECTION 3.(f) G.S. 58-51-55(d) reads as rewritten:

"(d) Applicability. – This section applies only to group health insurance contracts, other than excepted benefits as defined in G.S. 58-68-25. For purposes of this section, "group health insurance contracts" include MEWAs, as defined in ~~G.S. 58-50A-60(a) [G.S. 58-50A-1].~~G.S. 58-50A-1."

SECTION 3.(g) G.S. 58-65-90(d) reads as rewritten:

"(d) Applicability. – This section applies only to group health insurance contracts, other than excepted benefits as defined in G.S. 58-68-25. For purposes of this section, "group health insurance contracts" include MEWAs, as defined in ~~G.S. 58-50A-60(a) [G.S. 58-50A-1].~~G.S. 58-50A-1."

SECTION 3.(h) G.S. 58-67-75(d) reads as rewritten:

"(d) Applicability. – This section applies only to group contracts, other than excepted benefits as defined in G.S. 58-68-25. For purposes of this section, "group health insurance contracts" include MEWAs, as defined in ~~G.S. 58-50A-60(a) [G.S. 58-50A-1].~~G.S. 58-50A-1."

SECTION 4. G.S. 75A-5 reads as rewritten:

"§ 75A-5. Application for certificate of number; fees; reciprocity; change of ownership; conformity with federal regulations; records; award of certificates; renewal of

certificates; transfer of partial interest; destroyed or junked vessels; abandonment; change of address; duplicate certificates; display.

(a) Application for Certificate of Number. – The owner of each vessel requiring numbering by this State shall file an application for a certificate of number with the Commission. The Commission shall furnish application forms and shall prescribe the information contained in the application form. The application shall be signed by the owner of the vessel or the owner's agent and shall be accompanied by a fee, as set out in subsection (a1) of this section. The fee does not apply to vessels owned and operated by nonprofit rescue squads if they are operated exclusively for rescue purposes, including rescue training. The owner shall have the option of selecting a one-year numbering period or a three-year numbering period. Upon receipt of the application in approved form, the Commission shall enter the application in its records and issue the owner a certificate of number stating the identification number awarded to the vessel and the name and address of the owner, and a validation decal indicating the expiration date of the certificate of number. The owner shall paint on or attach to each side of the bow of the vessel the identification number and validation decals in such manner as may be prescribed by rules of the Commission in order that it may be clearly visible. The identification number shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available for inspection on the vessel for which the certificate is issued at all times the vessel is in operation. Any person charged with failing to so carry a certificate of number shall not be convicted if the person produces in court a certificate of number previously issued to the owner that was valid at the time of the alleged violation.

(a1) Fees. – The fees for certificates of number are as set out in this subsection:

- (1) The fee for a certificate of number for a one-year period is:
 - a. Thirty dollars (\$30.00) for a vessel that is less than 26 feet in length.
 - b. Fifty dollars (\$50.00) for a vessel that is 26 feet or more in length.
- (2) The fee for a certificate of number for a three-year period is:
 - a. Ninety dollars (\$90.00) for a vessel that is less than 26 feet in length.
 - b. One hundred fifty dollars (\$150.00) for a vessel that is 26 feet or more in length.

...

(c) Change of Ownership. – Should the ownership of a vessel change, a new application form with a fee in the amount set in ~~subsection (a)~~ subsection (a1) of this section shall be filed with the Commission and a new certificate bearing the same identification number shall be awarded to the new owner in the same manner as an original certificate of number. Possession of the certificate shall in cases involving prosecution for violation of any provision of this Chapter be prima facie evidence that the person whose name appears on the certificate is the owner of the vessel referred to on the certificate.

...

(f) Records. – All records of the Commission made or kept pursuant to this section ~~shall~~ be are public records.

...

(h) Renewal of Certificates. – An owner of a vessel awarded a certificate of number pursuant to this Chapter shall renew the certificate on or before the first day of the month after which the certificate expires; otherwise, the certificate shall lapse and be void until ~~such time as it may thereafter be renewed~~. Application for renewal shall be submitted on a form approved by the Commission and shall be accompanied by a fee in the amount set in subsection (a1) of this section.

...."

SECTION 5. G.S. 136-44.2E(e), as enacted by Section 1.3(b) of S.L. 2019-251, reads as rewritten:

"(e) Evaluation of Emergency Reserve. – No later than February 1 of the first year of the 2021-2023 fiscal biennium, and biennially thereafter, the Department of ~~the~~ Transportation shall submit a report on the Emergency Reserve to the House of Representatives Appropriations Committee on Transportation, the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division. The report shall contain the results of an evaluation of the Emergency Reserve, based on a methodology developed jointly by the Office of State Budget and Management and the Department of Transportation, to determine the minimum amount of funds needed in the Emergency Reserve."

SECTION 5.1. G.S. 143B-135.234(c) reads as rewritten:

"(c) Fund Purposes. – Moneys from the Fund are appropriated annually to finance projects to clean up or prevent surface water pollution and for land preservation in accordance with this Part. Revenue in the Fund may be used for any of the following purposes:

- (1) To acquire land for riparian buffers for the purposes of providing environmental protection for surface waters and drinking water supplies and establishing a network of riparian greenways for environmental, educational, and recreational uses.

...."

SECTION 5.2. G.S. 143B-1406 reads as rewritten:

"§ 143B-1406. Fund distribution to PSAPs.

...

(b) Percentage Designations. – The 911 Board must determine how revenue that is allocated to the 911 Fund for distribution to primary PSAPs and is not needed to make the base amount distribution required by subdivision (a)(1) of this section is to be used. The 911 Board must designate a percentage of the remaining funds to be distributed to primary PSAPs on a per capita basis and a percentage to be allocated to the Accounts established in G.S. 143B-1407. If the 911 Board does not designate an amount to be allocated to ~~such~~ the Accounts, the 911 Board must distribute all of the remaining funds to regional or primary PSAPs on a per capita basis. The 911 Board may not change the percentage designation more than once each fiscal year.

(c) Carryforward. – A PSAP may carry forward distributions for eligible expenditures for capital outlay, capital improvements, or equipment replacement if shown pursuant to subsection (f) of this section. The 911 Board may allow a PSAP to carry forward a greater amount without changing the PSAP's distribution. Amounts carried forward to the next fiscal year from distributions made by the 911 Board may not be used to lower the distributions in subsection (a) of this ~~section unless~~ section, unless either of the following is true:

- (1) The amount is greater than twenty percent (20%) of the average yearly amount distributed to the PSAP in the prior two ~~years; or~~ years.
- (2) The amount in subsection (a) of this section is modified based upon the Board's expenditures for statewide 911 projects or the PSAP's migration to a next generation 911 network.

(d) Use of Funds. – A PSAP that receives a distribution from the 911 Fund may not use the amount received to pay for the lease or purchase of real estate, cosmetic remodeling of emergency dispatch centers, hiring or compensating telecommunicators, or the purchase of mobile communications vehicles, ambulances, fire engines, or other emergency vehicles. Distributions received by a PSAP may be used only to pay for the following:

- (1) The lease, purchase, or maintenance of:
 - a. Emergency telephone equipment, including necessary computer hardware, software, and database provisioning.
 - b. Addressing, provided that addressing shall not be paid following the earlier of July 1, 2021, or compliance with G.S. 143B-1406(e1)-subsection (e1) of this section.

...

- (4) Charges associated with the service supplier's 911 service and other service supplier recurring charges. The PSAP providing 911 service is responsible to the communications service provider for all 911 installation, service, equipment, operation, and maintenance charges owed to the communications service provider. A PSAP may contract with a communications service provider on terms agreed to by the PSAP and the provider. Service supplier 911 service and other recurring charges supplanted by the State ESInet costs paid by the Board shall not be paid from distributions to PSAPs following the earlier of July 1, 2021, or compliance with ~~G.S. 143B-1406(e1)~~subsection (e1) of this section.

...

(f) Compliance. – A PSAP, or the governing entity of a PSAP, must comply with all of the following in order to receive a distribution under this section:

...

- (5b) Persons employed as telecommunicators who are not required to be certified by the North Carolina Sheriffs' Education and Training Standards Commission shall successfully ~~complete~~complete all of the following:
- a. A minimum of 40 hours in a nationally recognized training course for 911 telecommunicators or a basic telecommunicator course offered by the North Carolina Sheriffs' Education and Training Standards Commission within one year of the date of their employment for any person beginning employment after July 1, 2019, or a substantially similar minimum training acceptable to the telecommunicator's ~~employer; and~~employer.
 - b. A nationally recognized emergency medical dispatch course or an emergency medical dispatch course approved by the Office of Emergency Medical Services not later than July 1, 2020, or if employed subsequent to July 1, 2020, within six months of the date of employment.

...

(h) Every local government shall participate in a 911 system. The establishment and operation of regional PSAPs shall be a coordinated effort among local governments, local government agencies, and the Board. Nothing in this ~~article shall be construed to prohibit or discourage~~Article prohibits or discourages in any way the formation of regional PSAPs."

SECTION 5.3.(a) G.S. 146-30 is amended by adding a new subsection (d). Subsections (b1), (b2), (b3), and (b4) of G.S. 146-30 are recodified as subdivisions (1) through (4), respectively, of the new subsection (d) of that section. The second sentence through the last sentence of subsection (c) of G.S. 146-30 are recodified into the new subsection (d) of that section to follow subdivision (d)(4).

SECTION 5.3.(b) G.S. 146-30, as amended by subsection (a) of this section, reads as rewritten:

"§ 146-30. Application of net proceeds.

(a) The net proceeds of any disposition made in accordance with this Subchapter shall be handled in accordance with the following priority:

- (1) First, in accordance with the provisions of any trust or other instrument of title whereby title to ~~such~~ real property was ~~heretofore acquired or is hereafter acquired;~~acquired.
- (2) ~~second,~~Second, as provided by any other act of the General ~~Assembly;~~Assembly.
- (3) ~~third,~~Third, by depositing the net proceeds ~~shall be deposited~~ with the State Treasurer.

~~Provided, however, nothing herein shall be construed as prohibiting~~ Nothing in this section, however, prohibits the disposition of any State lands by exchange for other lands, but if the appraised value in fee simple of any property involved in the exchange is at least twenty-five thousand dollars (\$25,000), then ~~such the exchange may shall~~ not be made without consultation with the Joint Legislative Commission on Governmental Operations.

(a1) Expired January 1, 2016, pursuant to Session Laws 2011-373, s. 2.

(b) For the purposes of this Subchapter, the term "net proceeds" means the gross amount received from the sale, lease, rental, or other disposition of any State lands, less all of the following:

(1) ~~Such expenses~~ Expenses incurred incident to that sale, lease, rental, or other disposition ~~as may be that~~ are allowed under rules and regulations adopted by the Governor and approved by the Council of State; ~~and State.~~

(2) Repealed by Session Laws 1993, c. 553, s. 52.2.

(3) A service charge to be paid into the State Land Fund.

(b1), (b2), (b3), (b4) Recodified.

(c) The amount or rate of ~~such the~~ service charge described in subsection (b) of this section shall be fixed by rules and regulations adopted by the Governor and approved by the Council of State, but as to any particular sale, lease, rental, or other disposition, it shall not exceed ten percent (10%) of the gross amount received from ~~such the~~ sale, lease, rental, or other disposition.

(d) Notwithstanding any other provision of this Subchapter, the following exceptions apply:

(1) ~~Notwithstanding the other provisions of this section, no~~ No service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition by lease, rental, or easement of State lands that are designated as part of the Centennial Campus as defined by G.S. 116-198.33(4), that are designated as part of the Horace Williams Campus as defined by G.S. 116-198.33(4a), or that are designated as part of a Millennial Campus as defined by G.S. 116-198.33(4b). All net proceeds of those dispositions are governed by G.S. 116-36.5.

(2) ~~Notwithstanding the other provisions of this section, no~~ No service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition by lease, rental, or easement of State lands purchased and owned by the North Carolina State Highway Patrol, Department of Public Safety, as part of the Voice Interoperability Plan for Emergency Responders (VIPER) project being managed by the North Carolina State Highway Patrol, Department of Public Safety. All net proceeds of these dispositions shall be deposited into an account created in the Department of Public Safety to be used only for the purpose of constructing, maintaining, or supporting the VIPER network.

(3) ~~Notwithstanding the other provisions of this section, no~~ No service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition by lease, rental, or easement of State lands or structures for the collocation, installation, or operation of equipment by a broadband provider on an existing structure owned by the State in accordance with G.S. 146-29.2. The agency that owns the land or structure subject to the lease, rental, or easement may retain an amount not to exceed four percent (4%) of the amount of the lease, rental, or easement. All net proceeds of those dispositions, after the amount retained by the agency, shall be deposited in the Growing Rural Economies with Access to Technology Fund established pursuant to subsection (b) of G.S. 143B-1373.

- (4) ~~Notwithstanding the other provisions of this section, no~~ No service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition by lease, rental, or easement of lands owned by the Department of Transportation. All net proceeds of those dispositions shall be deposited into the State Highway Fund.
- (5) ~~Notwithstanding any other provision of this Subchapter, the~~ The net proceeds derived from the sale of land or products of land owned by or under the supervision and control of the Wildlife Resources Commission, or acquired or purchased with funds of that Commission, shall be paid into the Wildlife Resources Fund.
- (6) ~~Provided, however, the~~ The net proceeds derived from the sale of land or timber from land owned by or under the supervision and control of the Department of Agriculture and Consumer Services shall be deposited with the State Treasurer in a capital improvement account to the credit of the Department of Agriculture and Consumer Services, to be used for such specific capital improvement projects or other purposes as are provided by transfer of funds from those accounts in the Capital Improvement Appropriations Act.
- (7) ~~Provided further, the~~ The net proceeds derived from the sale of park land owned by or under the supervision and control of the Department of Natural and Cultural Resources shall be deposited with the State Treasurer in a capital improvement account to the credit of the Department of Administration to be used for the purpose of park land acquisition as provided by transfer of funds from those accounts in the Capital Improvement Appropriations Act. In the Capital Improvement Appropriations Act, line items for purchase of park and agricultural lands will be established for use by the Departments of Administration and Agriculture. The use of ~~such these~~ such these funds for any specific capital improvement project or land acquisition is subject to approval by the Director of the Budget. No other use ~~may~~ shall be made of funds in these line items without approval by the General Assembly except for incidental expenses related to the project or land acquisition. ~~Additionally~~ Additionally, with the approval of the Director of the Budget, either Department may request funds from the Contingency and Emergency Fund when the necessity of prompt purchase of available land can be demonstrated and funds in the capital improvement accounts are insufficient.
- (8) ~~Provided further, the~~ The net proceeds derived from the sale of any portion of the land owned by the State in ~~or around the Butner Reservation on or after July 1, 1980, the Camp Butner reservation~~ shall be deposited with the State Treasurer in a capital improvement account to the credit of the Department of Health and Human Services to make capital improvements on or to property owned by the State in the ~~Butner Reservation~~ Camp Butner reservation subject to approval by the Office of State Budget and ~~Management, and may be used to build industrial access roads to industries located or to be located on the Butner Reservation, to construct new city streets in the Butner Reservation, extend water and sewer service on the Butner Reservation, repair storm drains on the Butner Reservation, and for other capital uses on the Reservation as determined by the Secretary.~~ Management. The definition of "Camp Butner reservation" in G.S. 122C-3 applies to this subdivision.
- (9) ~~Provided further, notwithstanding any other provision of this Subchapter, the~~ The net proceeds derived from the lease dispositions of land or facilities owned or under the supervision and control of East Carolina University's

Division of Health Sciences for the delivery of health care services shall be deposited in clinical accounts at East Carolina University to be used to improve access to patient care.

- (10) ~~Provided further, notwithstanding any other provision of this Subchapter, the~~
The net proceeds derived from the sale of land, facilities, products, or timber owned by the Department of Transportation shall be deposited into the State Highway Fund."

SECTION 5.4. G.S. 153A-441 reads as rewritten:

"§ 153A-441. County surveyor.

A county may appoint as county surveyor a person ~~registered~~ licensed as a professional land surveyor pursuant to ~~Chapter 89 as county surveyor.~~ Chapter 89C of the General Statutes."

SECTION 5.5. G.S. 163-105 reads as rewritten:

"§ 163-105. Payment of expense of conducting primary elections.

The expense of printing and distributing the poll and registration ~~books, blanks, and ballots for those offices required by G.S. 163-109(b)~~ books and blanks to be furnished by the State, and the per diem and expenses of the State Board of Elections while engaged in the discharge of primary election duties imposed by law upon that Board, shall be paid by the State.

The expenses of printing and distributing ~~the ballots for those offices required by G.S. 163-109(e) to be furnished by counties,~~ ballots pursuant to G.S. 163-165.3 and the per diem (or salary) and expenses of the county board of elections and the chief judges and judges of election, while engaged in the discharge of primary election duties imposed by law upon them, shall be paid by the counties."

SECTION 5.6. G.S. 163-234 reads as rewritten:

"§ 163-234. Counting absentee ballots by county board of elections.

All absentee ballots returned to the county board of elections in the container-return envelopes shall be retained by the board to be counted by the county board of elections as ~~herein provided.~~ follows:

- (1) Only those absentee ballots returned to the county board of elections no later than 5:00 p.m. on the day before election day in a properly executed container-return envelope or absentee ballots received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2)b. or c. shall be counted, except to the extent federal law requires otherwise.
- (2) The county board of elections shall meet at 5:00 p.m. on election day in the board office or other public location in the county courthouse for the purpose of counting all absentee ballots except those which have been challenged before 5:00 p.m. on election day and those received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2)b. or c. Any elector of the county shall be permitted to attend the meeting and allowed to observe the counting process, ~~provided so long as the elector shall~~ does not in any manner interfere with the election officials in the discharge of their duties.

~~Provided, that the~~ The county board of elections is ~~authorized to~~ may begin counting absentee ballots issued under Article 21A of this Chapter between the hours of 9:00 ~~A.M.~~ a.m. and 5:00 ~~P.M.~~ p.m. and ~~to~~ may begin counting all absentee ballots between the hours of 2:00 p.m. and 5:00 p.m. upon the adoption of a resolution at least two weeks prior to the election ~~wherein~~ in which the hour and place of counting absentee ballots shall be stated. ~~Such~~ The resolution also may provide for an additional meeting following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2)b. or c. as provided in subdivision (11) of this section. A copy of the ~~resolutions~~ resolution shall be published once a week for two weeks prior to the election,

in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but ~~such~~the notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section ~~shall prohibit~~ prohibits a county board of elections from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified in this subdivision for the count to begin. By way of illustration and not limitation, a preparatory step for the count would be the entry of tally cards from direct record electronic voting units into a computer for processing. The board shall not announce the result of the count before 7:30 p.m.

- (3) Notwithstanding ~~the provisions of~~ subdivision (2) of this section, a county board of elections may, at each meeting at which it approves absentee ballot applications pursuant to ~~G.S. 163-230.1(e) and (e1)~~, G.S. 163-230.1(e) and (f), remove those ballots from their envelopes and have them read by an optical scanning machine, without printing the totals on the scanner. The board shall complete the counting of these ballots at the times provided in subdivision (2) of this section. The State Board of Elections shall provide instructions to county boards of elections for executing this procedure, and the instructions shall be designed to ensure the accuracy of the count, the participation of board members of both parties, and the secrecy of the results before election day. This subdivision applies only in counties that use optical scan devices to count absentee ballots.

...

- (6) As each ballot envelope is opened, the board shall cause to be entered into a pollbook designated "Pollbook of Absentee Voters" the name of the absentee voter, or if the pollbook is computer-generated, the board shall check off the name. Preserving secrecy, the ballots shall be placed in the appropriate ballot boxes, at least one of which shall be provided for each type of ballot. The "Pollbook of Absentee Voters" shall also contain the names of all persons who voted under G.S. 163-227.2, 163-227.5, and 163-227.6, but those names may be printed by computer for inclusion in the pollbook.

After all ballots have been placed in the boxes, the counting process shall begin.

If one-stop ballots under G.S. 163-227.2, 163-227.5, and 163-227.6 are counted electronically, that count shall commence at the time the polls close. If one-stop ballots are paper ballots counted manually, that count shall commence at the same time as other absentee ballots are counted.

If a challenge transmitted to the board on canvass day by a chief judge is sustained, the ballots challenged and sustained shall be withdrawn from the appropriate boxes, as provided in G.S. 163-89(e).

As soon as the absentee ballots have been counted and the names of the absentee voters entered in the pollbook as required ~~herein~~, in this subdivision, the board members and assistants employed to count the absentee ballots shall each sign the pollbook immediately beneath the last absentee voter's name entered ~~therein~~, in the pollbook. The county board of elections ~~shall be~~ is responsible for the safekeeping of the pollbook of absentee voters.

...

- (8) One copy of the absentee abstract shall be retained by the county board of elections and the totals appearing ~~thereon~~ on the absentee abstract shall be added to the final totals of all votes cast in the county for each office as determined on the official canvass.
- (9) In the event a political party does not have a member of the county board of elections present at the meeting to count absentee ballots due to illness or other cause of the member, the counting shall not commence until the county party chairman of ~~said~~ the absent member, or a member of the party's county executive committee, is in attendance. ~~Such~~ The person shall act as an official witness to the counting and shall sign the absentee ballot abstract as an "observer".
- ...
- (11) The county board of elections shall meet after election day and prior to the date of canvass to determine ~~where~~ whether the container-return envelopes for absentee ballots received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ has G.S. 163-231(b)(2)b. or c. have been properly executed. The county board of elections shall comply with the requirements of G.S. 163-230.1 for approval of applications. Any absentee ballots received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2)b. or c. shall be counted by the county board of elections on the day of canvass. The county board of elections ~~is also authorized to~~ may also meet following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2)b. or c. upon the adoption of a resolution pursuant to subdivision (2) of this section. The county board of elections shall comply with all other requirements of this section for the counting of ~~such~~ these absentee ballots."

SECTION 5.7. G.S. 164-16 reads as rewritten:

"§ 164-16. Officers.

At its regular June meeting in the odd-numbered years the Commission shall elect a ~~chairman~~ chair and a ~~vice-chairman~~ vice-chair for a term of two years and until their successors are elected and assume the duties of their positions. The Revisor of Statutes shall be ex officio secretary of the Commission."

SECTION 6.(a) Section 4.1 of S.L. 2018-80 reads as rewritten:

"SECTION 4.1. Sections 1.2 and 1.3 of this act become effective October 1, 2018, and apply to instruments presented for registration on or after that date. Section 3.1 of this act becomes effective October 1, 2018. The remainder of this act is effective when this act becomes law and applies to mortgages and deeds of trust entered into before, on, or after that ~~date~~ date and to other instruments under G.S. 47-18.3 executed before, on, or after August 1, 2020."

SECTION 6.(b) G.S. 47-17.1 reads as rewritten:

"§ 47-17.1. Documents registered or ordered to be registered in certain counties to designate draftsman; exceptions.

The register of deeds of any county in North Carolina shall not accept for registration, nor shall any judge order registration pursuant to G.S. 47-14, of any deeds or deeds of trust, executed after January 1, 1980, unless the first page of the deeds or deeds of trust bears an entry showing the name of ~~either the person or law firm who drafted the instrument~~. This section shall not apply to other instruments presented for registration. For the purposes of this section, the register of deeds shall accept the written representation of the individual presenting the deed or deed of trust for registration, or any individual reasonably related to the transaction, including, but not limited to, any employee of a title insurance company or agency purporting to be involved with the transaction, ~~that the individual or law firm listed on the first page is a validly licensed attorney or validly existing law firm in this State or another jurisdiction within the United States~~. the drafter

of the deed or deed of trust. The register of deeds shall not be required to verify or make inquiry concerning the capacity or authority of the person or entity shown as the drafter on the instrument."

SECTION 6.(c) This section becomes effective August 1, 2020.

SECTION 7. S.L. 2019-113 is amended by adding a new section to read:

"**SECTION 6.1.** The Revisor of Statutes shall cause to be printed, as annotations to the published General Statutes, all explanatory comments of the drafters of Sections 5 and 6 of this act as the Revisor may deem appropriate."

SECTION 8.(a) Section 4(c) of S.L. 2019-158 is repealed.

SECTION 8.(b) G.S. 15A-151.5(a) reads as rewritten:

"(a) Notwithstanding any other provision of this Article, the Administrative Office of the Courts shall make all confidential files maintained under G.S. 15A-151 electronically available to all prosecutors of this State if the criminal record was expunged on or after July 1, 2018, under any of the following:

...
(7a) G.S. 15A-145.9. Expunction of records of certain offenses committed by human trafficking victims.

...."

SECTION 8.(c) This section is retroactively effective December 1, 2019.

SECTION 9.(a) The introductory language of Section 3(e) of S.L. 2019-176 reads as rewritten:

"**SECTION 3.(e)** ~~G.S. 147-69.2(15) is amended by adding a new subdivision to read:~~G.S. 147-69.2(a)(15) reads as rewritten:"

SECTION 9.(b) G.S. 147-69.2(a)(15a) is repealed.

SECTION 9.(c) This section becomes effective July 1, 2020.

SECTION 10. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 25th day of June, 2020.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 5:26 p.m. this 1st day of July, 2020