

# SUMMARIES OF SUBSTANTIVE RATIFIED LEGISLATION

2019 SESSION



LEGISLATIVE ANALYSIS DIVISION  
N.C. GENERAL ASSEMBLY



January 2020

To the Members of the 2019 Session of the 2019 General Assembly:

This publication contains summaries of all substantive legislation of general applicability and certain local legislation having general import from the 2019 Regular Session. Most local acts are not analyzed in this publication. Significant appropriations matters related to the subject area specified also are included.

The document is organized alphabetically by subject areas. A bill index is at the end of the publication. A complete copy of the publication may be downloaded using the link "All 2019 Summaries by Subject."

This document is the result of a combined effort by the following staff members of the Legislative Analysis Division: Cindy Avrette, Susan Barham, Virginia Barlow, Jennifer Bedford, Jessica Boney, Drupti Chauhan, Erika Churchill, Amy Darden, Kyle Evans, Tawanda Foster Artis, Nick Giddings, Billy Godwin, Wendy Graf Ray, Trina Griffin, Brian Gwyn, Kristen Harris, Jennifer Hillman, Jeff Hudson, Brad Krehely, Howard Marsilio, Theresa Matula, Kara McCraw, Jennifer McGinnis, Shawn Middlebrooks, Jason Moran-Bates, Bill Patterson, Jeremy Ray, Greg Roney, Jessica Sammons, Chris Saunders, Susan Sitze, Samantha Yarborough and Melissa Zbikowski. In addition, Dan Etefagh, Luke Gillenwater, Myra Torain, Matt Pagett, Jacob Davis, Matt Meinig, Kory Goldsmith and Phyllis Pickett of the Legislative Drafting Division, also contributed to this document. Tawanda Foster Artis is chief editor of this year's publication. Amy Darden and Virginia Barlow are co-editors. Susan Barham and Melissa Zbikowski are chapter coordinators of this year's publication. The specific staff members contributing to each summary are identified in the full summary text. If you would like further information regarding any legislation in the various summaries, please contact the Legislative Analysis Division Office at (919) 733-2578.

To access this publication, go to the General Assembly's homepage at <http://www.ncleg.gov>. Click on "Divisions," "Legislative Analysis Division," then "Publications," then "Summaries of Substantive Ratified Legislation." Click the Summaries link at the bottom of the page to access the 2019 link. Each summary overview is hyperlinked to the full summary text, final session law, the bill information and history, and any other available summaries.

I hope this publication will provide a useful source of information for the members of the General Assembly and the public in North Carolina. We would appreciate receiving any suggestions for this publication's improvement.

Yours truly,



Karen Cochrane-Brown  
Director  
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# 2019 Summaries of Substantive Ratified Legislation

## Agriculture and Wildlife

See full summary documents for additional detail

### H597 - Wildlife Resources Commission Amends. (SL 2019-204)

S.L. 2019-204 makes the following changes to the Wildlife Resources Commission's (WRC) laws, licenses, and fees:

- Requires the owner of a vessel registered with the WRC to place a WRC issued validation decal on both sides of the vessel, along with the vessel's identification number.
- Makes technical changes to definitions relating to resources, and adds definitions for "Mountain Heritage Trout Waters," "Public Mountain Trout Waters," and "Wildlife Resources Commission Property."
- Allows a person holding a trophy sale permit to sell permanently preserved bears or tanned bear hides and permanently preserved turkeys or turkey parts.
- Allows a person holding a Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License to keep that license even if the licensee becomes less than 50% disabled.
- Makes conforming changes to refer to "investment income" of the Wildlife Endowment Fund, as opposed to only interest income.
- Makes all licenses, permits, stamps, and certifications valid from the date of issue for a period of 12 months, unless indicated otherwise.
- Allows WRC to establish fees for all licenses, permits, stamps, and certifications, except the Recreational Commercial Gear License, and round those fees up to the next whole dollar based on the Consumer Price Index for All Urban Consumers.
- Creates new WRC licenses, modifies or recodifies several existing WRC licenses and increases numerous WRC license fees.
- Makes conforming changes to the Sportsman Licenses to exclude trapping and to allow access to and use of WRC property.
- Requires a trapper to include on any steel jaw, leghold, or conibear trap either the trapper's name and address or the trapper's WRC-issued identification number and the phone number for WRC's hotline to report wildlife violations.
- Gives WRC inspectors and protectors jurisdiction to enforce the provisions of Article 19B of Chapter 106 of the General Statutes, concerning plant protection and conservation.
- Adds a representative of the North Carolina Association of County Commissioners to the Beaver Damage Control Advisory Board, and removes the Director of the North Carolina Cooperative Extension from that same Board.
- Changes the Beaver Management Assistance Program enrollment dates for counties and increases the fee to participate in the Program from \$4,000 to \$6,000.
- Makes various changes to the statutes concerning regulation of venomous reptiles, large constricting snakes, and crocodilians.
- Clarifies the scope of "an area" with regard to turkey hunting with bait as being within 300 yards of any place in which bait has been placed, and requires a knowing mental state for a violation.
- Allows an eligible volunteer firefighter who has served for at least five consecutive years to obtain a lifetime hunting or fishing license for a fee amount equal to half of the applicable fee amount.

Sections 1 through 6 of this act became effective September 1, 2019. Sections 7 and 12 of this act became effective October 1, 2019. Section 9 becomes effective January 1, 2020. Section 10 of this act became effective December 1, 2019, and applies to offenses committed after that date. The remainder of this act became effective August 27, 2019.

# Alcoholic Beverage Control

See full summary documents for additional detail

## **H99 - Transfer ALE/Move Boxing Advisory Commission.**

### **Part I: Transfer Ale. (SL 2019-203)**

Part I of S.L. 2019-203 relocates the Alcohol Law Enforcement Branch (ALE) from within the State Bureau of Investigation (SBI) to create a new Division of the Department of Public Safety and clarifies the jurisdiction of ALE agents. Co-location of SBI/ALE offices will continue until funding is appropriated.

This act became effective October 1, 2019.

## **H363 - Craft Beer Distribution and Modernization Act. (SL 2019-18)**

S.L. 2019-18 allows brewery permittees that sell fewer than 100,000 barrels of malt beverages produced by the brewery each year to self-distribute up to 50,000 barrels of malt beverages manufactured by the brewery per year to unaffiliated retail permittees. This act also provides that only breweries that sell fewer than 25,000 barrels of malt beverages produced by the brewery per year may terminate a franchise agreement in the absence of good cause.

This act became effective May 30, 2019.

## **H389 - ABC/Univ Athletic Facility. (SL 2019-52)**

S.L. 2019-52 authorizes public colleges and universities to allow alcohol sales at stadiums, athletic facilities, and arenas located on school property with the approval of the Board of Trustees. Only malt beverages and wine may be sold when the facility is being used for a sports event sponsored by the public college or university. This act does not apply to community colleges. See the full summary for additional requirements.

This act became effective June 26, 2019.

## **S11 - ABC Regulation and Reform. (SL 2019-49)**

S.L. 2019-49 makes the following changes to the alcoholic beverage control laws:

- Requires second or third violations of the ABC laws not involving acts of violence, a controlled substance, or prostitution to occur within three years in order to result in the imposition of fines.
- Increases the maximum fines for violations of the ABC laws involving acts of violence, a controlled substance, or prostitution occurring upon the premises, and for these types of violations, authorizes the ABC Commission (Commission) to impose conditions on the operating hours of a business.
- Increases from \$5,000 to \$10,000 the maximum amount the Commission can accept in compromise in lieu of a permit revocation for certain violations.

- Repeals the Commission's authority to issue a permit to a person at least 19 years old who is a manager of a business, thereby requiring all persons to be at least 21 years old to obtain an ABC permit.
- Allows permittees to seek review of Commission permit decisions before an administrative law judge.
- Modifies the Commission's authority to summarily suspend or revoke a permit upon receiving certain information regarding an undercover investigation.
- Changes the definition of a "private club" to include only establishments that are 501(c) businesses and that have been in operation for at least 12 months before applying for an ABC permit.
- Creates a new definition of "private bar" and exempts them from regulation as a food and lodging establishment in the same way that "private clubs" are exempt from such regulation.
- Provides that permits issued to "private clubs," as defined before this act becomes law, are grandfathered and eligible for renewal as a private bar or a private club, as applicable under the new definitions of those terms.

This act has various effective dates. Please see the full summary for more detail.

## **S290 - ABC Regulatory Reform Bill. (SL 2019-182)**

S.L. 2019-182 makes the following changes to the alcohol laws:

- Allows the holder of a distillery permit to obtain permits for on-premises malt beverage, on-premises unfortified wine, on-premises fortified wine, and mixed beverages and sell those types of alcoholic beverages for consumption at the distillery.
- Allows the holder of a distillery permit to sell mixed beverages for consumption at the distillery. If a distillery elects to sell mixed beverages containing spirituous liquor other than that produced at the distillery, the distillery must obtain a mixed beverages permit.
- Authorizes ABC stores to allow the purchase of individual bottles of spirituous liquor purchased through the special order process, and to sell in store any bottles received in excess of what was purchased by the requesting customer.
- Directs local ABC boards to fulfill an order by a mixed beverages permittee for individual bottles or cases of spirituous liquor produced by an eligible distillery that are listed a regular code item for sale in the State.
- Allows distilleries to issue purchase-transportation permits for spirituous liquor sold by the distillery, and allows ABC store employees to issue purchase-transportation permits, if authorized by the local board chairman.
- Allows spirituous liquor tastings to be conducted in ABC stores, subject to several limitations.
- Allows retail permit holder private label brands of malt beverages to be sold exclusively to the retailer that owns the brand name or to all retail permit holders within each territory without discrimination, at the retail permit holder's discretion.
- Provides that a contract brewery that manufactures malt beverages is responsible for all aspects associated with manufacturing the product, subject to the rules of the Commission and the Department of Revenue.
- Allows malt beverage tastings at farmers markets.
- Allows on-premises or off-premises malt beverage permittees to transfer malt beverages to another on-premises or off-premises malt beverage permittee that is under common ownership or control of the transferor. The permittee is limited to no more than four such transfers per calendar year.
- Directs the Commission to increase the maximum allowed discount for malt beverages and wine from 25% to 35%.

- Defines "premises" to mean a fixed permanent establishment, including all areas inside or outside the licensed establishment, where the permittee has control through a lease, deed, or other legal process.
- Authorizes the sale of up to two alcoholic drinks at one time to a patron, if the alcoholic drinks does not contain spirituous liquor.
- Allows the sale and consumption of alcohol at bingo games.
- Exempts breweries not engaged in the preparation of food on the premises from the health code regulations governing the sanitation of establishments that prepare or serve drink or food for pay.
- Prohibits any jurisdiction located in a county that already has an ABC board from holding an ABC store election unless they negotiate a merger with an existing ABC board and makes those details available to the public prior to the election.
- Requires local ABC boards to accept electronic payments in the form of debit cards or electronic transfer, but not by credit card or charge card, for any spirituous liquor purchased by a mixed beverage permittee.
- Requires the Commission to make all forms required to apply for and receive a permit available on the Commission's Web site, and allow for electronic submission of those forms to the extent practicable, including submission with an electronic signature.
- Creates a common area entertainment permit for common areas in multi-tenant establishments, which allows customers to exit a permitted premises with an open container and consume the alcohol in the common area of a multi-tenant establishment.
- Creates a delivery service permit, which allows a permit holder's employee or independent contractor to deliver malt beverages, unfortified wine, or fortified wine on behalf of a retailer to an individual purchaser.
- Allows breweries to sell the malt beverages owned by the brewery for on- or off-premises consumption, regardless of the results of any malt beverage election, upon obtaining the appropriate permit.
- Allows sports and entertainment venues to obtain on-premises fortified wine and special occasion permits.
- Repeals the purchase-transportation permit requirement for mixed beverage permittees for fortified wine and spirituous liquor and allows any amount to be purchased and transported by mixed beverage permittees, an employee of a mixed beverage permittee, or an employee of a local board transporting to a mixed beverage permittee.
- Requires the Commission to make quarterly reports, beginning October 15, 2019, to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety detailing the progress made in bidding and selecting an independent contractor for the receipt, storage, and distribution of spirituous liquor at and from the State warehouse.
- Allows local ABC boards to use their own employees or contract with an independent contractor to provide delivery of spirituous liquor purchased by a mixed beverage permittee.
- Directs the Program Evaluation Division (PED) to study the actions the Alcoholic Beverage Control Commission is authorized to take for violations of Chapter 18B of the General Statutes.

Sections 26 and 29 of this act became effective July 29, 2019. Except as otherwise provided, the remainder of this act became effective September 1, 2019.



# Children and Families

See full summary documents for additional detail

## **H301 - Court Improvement Project Revisions/Juvenile Code. (SL 2019-33)**

S.L. 2019-33 makes revisions to the Juvenile Code as recommended by Juvenile Code Revision Subcommittee of the North Carolina Court Improvement Program (CIP).

This act became effective October 1, 2019.

## **H469 - Various Family Law Changes. (SL 2019-172)**

S.L. 2019-172 does the following:

- Modifies the laws pertaining to equitable distribution and pension, retirement, and deferred compensation benefits.
- Modifies the laws pertaining to parenting coordinators.
- Makes various changes to the adoption laws.

Part I of this act became effective October 1, 2019, and applies to distributions on or after that date. Part II and Part III of the act became effective October 1, 2019. Except as otherwise provided, the act became effective on July 26, 2019.

## **S199 - Child Sex Abuse/Strengthen Laws. (SL 2019-245)**

S.L. 2019-245 protects children from sexual abuse and strengthens and modernizes sexual assault laws.

Parts I, II, III, V, VI, VII, and VIII of this act became effective December 1, 2019, and apply to offenses committed on or after that date. Part IV of this act became effective December 1, 2019, and applies to civil actions commenced on or after that date. The remainder of this act became effective on November 7, 2019.

# Civil Law and Procedure

See full summary documents for additional detail

## **H233 - State Auditor/Local Finance Officer Amendments. (SL 2019-19)**

S.L. 2019-19 does all of the following:

- Requires non-State entities that receive State funds to post the State Auditor's hotline telephone number. This provision became effective July 1, 2019.
- Amends various statutes related to the Office of the State Auditor, as requested by the Office of the State Auditor.
- Amends the powers and duties of the finance officer appointed by a local government or public authority.
- Grants the Local Government Commission authority to establish minimum qualifications for a finance officer, require a finance officer to undergo training in certain circumstances, and require a local government or public authority to contract with outside entities due to deficiencies in complying with local government finance laws.

Except as otherwise provided herein, this act became effective June 3, 2019.

## **H871 - Fair Contracts. (SL 2019-92)**

S.L. 2019-92 establishes as void and against public policy certain indemnification agreements relative to engineering, architectural, landscape architectural or surveying services, effective August 1, 2019.

## **S332 - Civil Procedure/Limitations/Land Surveyors. (SL 2019-164)**

S.L. 2019-164 provides that in a negligence action against a professional land surveyor or person acting under the surveyor's supervision and control, a cause of action for physical damage is deemed to accrue at the time of the occurrence of the physical damage giving rise to the cause of action.

The act also provides that a negligence action against a professional land surveyor or person acting under the surveyor's supervision and control must be commenced within seven years from the specific last act or omission giving rise to the cause of action.

This act became effective on July 26, 2019, and applies to actions arising on or after that date.

## **S508 - Civil Procedure/Deponent Declaration. (SL 2019-147)**

S.L. 2019-147 clarifies the process for the taking of depositions in civil actions. It provides that a deponent who lacks government identification necessary to be put on oath may testify upon signing a declaration that the testimony is given under penalty of perjury. It also clarifies the items required to be in a deponent's declaration and specifies that preparing a transcript under this section does not constitute the unauthorized practice of law.

The act became effective October 1, 2019, and applies to depositions taken on or after that date.

# Commercial Law and Consumer Protection

See full summary documents for additional detail

## **H628 - 2019 Banking & Mortgage Corrections & Changes. (SL 2019-173)**

S.L. 2019-173 does the following:

- Eliminates the requirement for savings banks and savings and loan associations to publish abstracts of statements of financial condition.
- Allows commercial banks, savings and loan associations, and savings banks to offer savings promotion raffles.
- Replaces a Public Member on the Banking Commission with a member licensed under Fair Enforcement Mortgage Licensing Act (SAFE Act).

Except as otherwise provided, this act became effective July 26, 2019.

## **H724 - Truth in Caller ID Act. (SL 2019-188)**

S.L. 2019-188 regulates telephone solicitations made through text communications and prohibits a telephone solicitor from misrepresenting the origin of the call by causing misleading information to be transmitted to users of caller identification technologies.

This act became effective December 1, 2019, and applies to offenses committed after that date

## **S162 - Loan Origination/Late Payment Charge Changes. (SL 2019-10)**

S.L. 2019-10 makes technical and clarifying changes, adjusts the loan origination fee for banks, and adjusts the late payment charge for certain loans.

This act became effective April 1, 2019.

## **S466 - EDPNC Modifications. (SL 2019-50)**

S.L. 2019-50 modifies the duties that may be performed by the North Carolina Department of Commerce (Department) and the Economic Development Partnership of North Carolina (EDPNC); broadens the notice requirements for new or changed EDPNC contracts; makes changes to the EDPNC governing board requirements; modifies EDPNC contract terms relating to the renewal of contracts, fundraising requirements, and other conforming changes.

This act has various effective dates. Please see the full summary for more detail.

### **S505 - Rural Job Retention Act. (SL 2019-14)**

S.L. 2019-14 allows the Department of Commerce to award an additional grant of \$15 million through the Job Maintenance and Capital Development Fund (JMAC), and it adds a new category of businesses eligible to receive a JMAC grant: a heritage manufacturing employer. Assuming Commerce awards an additional JMAC grant for \$15 million over ten years, it will increase General Fund expenditures by \$1.5 million per year for ten years, beginning in fiscal year 2021-22. The current recurring appropriation of \$7.5 million to the JMAC account is expected to be sufficient to pay the expected grant payments.

The act became effective July 1, 2019.

### **S529 - Fees/Returned Checks. (SL 2019-77)**

S.L. 2019-77 increases the maximum fee that a merchant can charge when a customer's check is returned from \$25 to \$35.

This act became effective October 1, 2019, and applies to checks dated on or after that date.

# Constitution and Elections

See full summary documents for additional detail

## **H18 - Allow Absentee Ballots/Fire District Election. (SL 2019-136)**

S.L. 2019-136 allows absentee voting in fire district elections.

This act became effective July 19, 2019.

## **H646 - ID Approval/Flex Muni One-Stop. (SL 2019-22)**

Effective June 3, 2019, S.L. 2019-22 made the following changes to the elections law:

- Allows a tribal enrollment card to be used for voting identification purposes, regardless of whether the card contains an expiration date.
- Clarifies the approval process for student and employee identification cards being used for voting identification.
- Establishes a time period during which any student or employee identification card denied approval for use in the 2020 elections may be resubmitted for approval.
- Authorizes a county board of elections to set hours and days for early one-stop voting in odd-numbered years at less than 12 hours per day for 13 workdays.
- Authorizes a county that is bounded by the largest sound on the East Coast and where the county seat is located at the intersection of two rivers that divide the county to open up to two early one-stop sites with days and hours that vary from the county board of elections, or its alternate, and other additional one-stop sites in that county.

## **H1014 - 2020 Census VTD Verification Program. (SL 2019-16)**

Effective May 29, 2019, S.L. 2019-16 requires the Legislative Services Officer to be responsible for submissions in the Phase 2, Voting District Project, portion of the 2020 federal decennial census.

## **S214 - Ensure Orderly 2019 Elections. (SL 2019-4)**

S.L. 2019-4 allows any registered voter voting in person in 2019 to vote an official ballot whether or not photographic identification is presented, and requires the State Board of Elections and all county boards of elections to continue all implementation and education efforts during this same time period.

This act became effective March 14, 2019.

## **S220 - Removal of Political Signs by Citizens. (SL 2019-119)**

S.L. 2019-119 does all of the following:

- Deems abandoned any political sign remaining in the public right-of-way more than 40 days after the primary or election day, and authorizes a citizen to remove and dispose of the abandoned sign without penalty. This section became effective December 1, 2019.
- Requires county boards of elections to provide at least 36 hours prior to the opening of polls for political advertising to be placed and at least 36 hours after the close of polls for political advertising to be removed at publicly owned polling places. This section became effective December 1, 2019.
- Authorizes the Executive Director of the State Board of Elections to reduce the canvass period in the 2019 municipal elections, to resolve any conflicts in the election schedule. This section became effective July 11, 2019, and expired November 7, 2019.

### **S682 - Implement Crime Victim Rights Amendment. (SL 2019-216)**

S.L. 2019-216 implements the constitutional amendment to provide better protections and safeguards to victims of crime and acts of delinquency. The act expands a victim's right to be present and heard at court proceedings; provides an enforcement procedure for failure to comply with the constitutionally guaranteed rights of victims; creates a new Article in the Juvenile Code that models the Crime Victims' Rights Act; and directs the Conference of District Attorneys and the Administrative Office of the Courts to develop procedures and forms required for implementation of this act.

The expanded protections for victims became effective August 31, 2019, and apply to offenses and acts of delinquency committed on or after that date. The portion of the act directing development of procedures and forms became effective September 4, 2019.

### **S683 - Combat Absentee Ballot Fraud. (SL 2019-239)**

S.L. 2019-239 does all of the following:

- Requires that a request for mail-in absentee ballots be completed entirely by the requestor, indicate the date of the election for the request, and be returned to the county board of elections by the requestor. Voters may receive assistance from a bipartisan team or some other person in certain instances. This section became effective January 1, 2020, and applies to elections conducted on or after that date.
- Requires a voter voting mail-in absentee to submit photo identification, or an affidavit for the lack thereof, with the returned application and voted ballot. This section became effective January 1, 2020, and applies to elections conducted on or after that date.
- Provides that the list of voters requesting a mail-in absentee ballot is confidential until the opening of the polls on election day. This section became effective January 1, 2020, and applies to elections conducted on or after that date.
- Enhances the penalties for certain violations of the law regarding absentee ballots, and creates new crimes for selling completed request forms or voted ballots, receiving payment based on a number of returned requests, intentionally failing to deliver requests or ballots, or copying or retaining identifying information from a request or application. This section became effective December 1, 2019, and applies to offenses committed on or after that date.
- Restores the last Saturday of early voting, and modifies times for early voting. This section became effective January 1, 2020, and applies to elections conducted on or after that date
- Allows the State Board of Elections to authorize a county to continue to use DRE voting systems in the 2020 elections under certain conditions. This section became effective November 6, 2019 and expires August 1, 2020.

- Allows a county board of elections to test proposed voting systems during a simulated election prior to approval by the board of county commissioners. This section became effective November 6, 2019
- Makes appropriations for the budget of the State Board of Elections for the fiscal biennium ending June 30, 2021
- Requires the State Board of Elections to report on post-election audits. This section became effective November 6, 2019.



# Courts, Justice, and Corrections

See full summary documents for additional detail

## **H108 - PED/Safekeeper Health Care Cost Recov. Pract. (SL 2019-171)**

S.L. 2019-171 modifies the data collection and cost recovery practices for health care services provided to inmates who are transferred from a local jail to the State prison system pursuant to a safekeeping order.

This act became effective October 1, 2019, and applies to all prisoners transferred on or after that date.

## **H126 - Pay Increases/State Highway Patrol. (SL 2019-210)**

S.L. 2019-210 awards legislatively mandated salary increases and special annual leave to the law enforcement officers of the State Highway Patrol.

This act became effective July 1, 2019.

## **H323 - Assess Costs of Local LEO Crime Lab Analysis. (SL 2019-150)**

S.L. 2019-150 allows judges to order, and local governments and local law enforcement units to receive, court costs for lab services performed by a privately-owned lab or for the services of an expert witness employed by a privately-owned lab.

The act became effective July 1, 2019, and applies to costs assessed on or after that date.

## **H415 - Photos of Juveniles/Show-Ups. (SL 2019-47)**

S.L. 2019-47 creates an exception in the law governing non-testimonial identification procedures for juveniles to allow a photograph to be taken of a juvenile suspected in committing a crime at the time of a show-up and establishes procedures to be followed when a juvenile is photographed for a show-up.

This act became effective on June 26, 2019.

## **H470 - Administration of Justice Changes. (SL 2019-243)**

S.L. 2019-243 does the following:

- Makes changes and technical corrections requested by the Administrative Office of the Courts (AOC).
- Directs the Supreme Court to make rules regarding e-filing and e-signing of court documents.
- Requires the Administrative Office of the Courts to report the rules created to the General Assembly by March 31, 2020.

- Amends fees and makes changes to processes in civil court, as recommended by the Conference of Superior Court Clerks.
- Makes technical corrections, conforming changes, and clarifications to various statutes as requested by State agencies.
- Amends the rules of civil and criminal procedure by requiring a judge to grant a continuance if requested to fulfill certain obligations to the State.
- Clarifies that the scope of Judicial Standards Commission investigations is limited to conduct and not matters of law.

This act has various effective dates. Please see the full summary for more detail, and the act for specific effective dates.

### **H578 - Modify Legitimations Provisions. (SL 2019-42)**

S.L. 2019-42 removes language in regard to the legitimation process that conflicts with current case law.

This act became effective June 21, 2019, and applies to birth certificates issued on or after that date.

### **H609 - Salary Increases/Adult Correctional Employees. (SL 2019-208)**

S.L. 2019-208 provides salary increases and other compensation to State employees employed in a position based in one or more State adult correctional facilities as of June 30 of each year of the fiscal biennium.

This act became effective July 1, 2019.

### **H617 - Allow Repeat Referral to Teen Court. (SL 2019-41)**

S.L. 2019-41 allows a juvenile to be referred to a teen court program more than once by removing the prohibition on referring a juvenile to a teen court program if the juvenile has been referred to a teen court program previously.

This act became effective on June 21, 2019.

### **H747 - North Carolina Missing Person Information Sharing. (SL 2019-90)**

S.L. 2019-90 authorizes law enforcement agencies to enter information from a missing person report or about unidentified persons into the National Missing and Unidentified Persons System (NamUS) after 30 days have passed and the person has not been found or identified.

The act became effective October 1, 2019.

### **H1001 - Raise the Age Funding. (SL 2019-229)**

S.L. 2019-229 (i) increases the number of full-time assistant district attorneys allowed in certain prosecutorial districts, (ii) adjusts the number of district court judges allowed in certain district court districts, and (iii) appropriates funds to the Administrative Office of the Courts, the Office of Indigent Defense Services, and the Department of Public Safety to cover costs associated with increased staff and other additional resources needed to implement Section 16D.4 of S.L. 2017-57 ("Raise the Age legislation").

Except as otherwise provided, the act became effective July 1, 2019.

### **S75 - Restore Ct. of Appeals Membership. (SL 2019-2)**

S.L. 2019-2 increases the number of judges sitting on the North Carolina Court of Appeals from twelve to fifteen, and eliminates the requirement that three seats be abolished as vacancies arise.

This act became effective February 27, 2019.

### **S118 - Prison Safety/Temporary Assistance for Needy Families (TANF) State Plan/Clarifications. (SL 2019-223)**

S.L. 2019-223 (i) makes various appropriations totaling \$4,471,149 in nonrecurring funds for the 2019-2020 fiscal year for the costs associated with listed prison safety expenditures, (ii) requires quarterly reporting to the Joint Legislative Oversight Committee on Justice and Public Safety starting on November 1, 2019, and until the end of the 2019-2021 biennium, delivered by the Department of Public Safety regarding listed prison reform initiatives, (iii) revises descriptive language regarding funds referenced in House Bill 966 of the 2019 Regular Session and other salary and benefits bills enacted in 2019 by using the term departmental receipts, and (iv) approves the 2019-2022 Temporary Assistance for Needy Families (TANF) State Plan.

This act became effective July 1, 2019.

### **S191 - Out-of-State Law Enforcement/2020 Republican Convention. (SL 2019-109)**

S.L. 2019-109 authorizes a police department in a city with a population exceeding 500,000 to contract with an out-of-state law enforcement agency for the use of officers and equipment for a designated period.

This change becomes effective January 1, 2020, applies to all intergovernmental law enforcement agreements entered into on or after that date, and expires October 1, 2020.

Contingent upon House Bill 966 becoming law, the act also amends that bill's requirement that the Department of Administration select land in Granville County for relocation of certain State agency facilities. The amendment would require the selected land to be located in a specified business and industrial

park if the land is donated to the State or conveyed for the sum of \$1.00. As of the date of this summary, a precondition to this provision becoming effective has not yet occurred, because the Governor's veto of House Bill 966 has not been overridden.

### **S413 - Raise the Age Modifications. (SL 2019-186)**

S.L. 2019-186 modifies certain juvenile delinquency and juvenile justice statutes to facilitate implementation of the legislation known as "Raise the Age."

This act became effective on December 1, 2019, and applies to offenses committed on or after that date.

### **S493 - DVPO Abuser Treatment/Time of Expiration. (SL 2019-168)**

Session Law 2019-168 does the following:

- Adds procedural efficiencies when a defendant is ordered to attend an abuser treatment program.
- Clarifies that a domestic violence protective order (DVPO) expires at 11:59 pm on the last day the order is valid.
- Clarifies any subsequent court order supersedes protective orders issued under Chapter 50B.

This act became effective December 1, 2019 and applies to court orders in effect on or after that date.

### **S579 - Prison Reform Act of 2019. (SL 2019-236)**

S.L. 2019-236 directs the Program Evaluation Division to study alternative organization and management structures for the Division of Adult Correction and Juvenile Justice, and report findings to the General Assembly no later than November 1, 2020.

This act became effective November 1, 2019.

# **Criminal Law and Procedure**

**See full summary documents for additional detail**

## **H29 - Standing Up for Rape Victims Act of 2019. (SL 2019-221)**

S.L. 2019-221 establishes processes and protocols for testing untested sexual assault kits, requires a law enforcement agency to notify the North Carolina State Crime Lab (Crime Lab) of an arrest or conviction resulting from a hit in the Combined DNA Index System (CODIS), and appropriates funds to the Department of Justice to cover costs associated with implementing this act.

This act became effective September 18, 2019.

## **H130 - Allow Game Nights. (SL 2019-13)**

S.L. 2019-13 authorizes nonprofit organizations and some employers and trade associations to operate "game nights" where games of chance are played, and prizes are awarded by raffle at facilities serving alcoholic beverages. This act requires a permit to operate a game night, and places restrictions and limitations on who may operate a game night, where it may be operated, and how often they may be operated. Please see the full summary for details of these requirements.

This act became effective June 1, 2019.

## **H138 - Damage Jail & Prison Fire Sprinkler/Penalty. (SL 2019-134)**

S.L. 2019-134 increases the punishment for willfully interfering with, damaging, defacing, molesting, or injuring any part or portion of a fire-alarm, fire-detection, smoke-detection, or fire-extinguishing system in a prison or local confinement facility to a Class H felony.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

## **H198 - Human Trafficking Commission Recommendations. (SL 2019-158)**

S.L. 2019-158 makes clarifications to the Human Trafficking Article, criminalizes promoting travel for unlawful sexual conduct, provides a specific civil cause of action for human trafficking victims, and expands the post-conviction relief available to a victim of human trafficking.

The criminal provisions of this act became effective December 1, 2019, and apply to offenses committed on or after that date. The post-conviction relief provisions became effective December 1, 2019, and apply to motions and petitions filed on or after that date. The remainder of this act became effective July 1, 2019.

### **H224 - Assault w/ Firearm on LEO/Increase Punishment. (SL 2019-116)**

S.L. 2019-116 amends G.S. 14-34.5 to make it a Class D felony to commit an assault, with a firearm, on a law enforcement officer, probation officer, parole officer, and an employee of a detention facility.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

### **H257 - Motorcycles/Face Masks. (SL 2019-115)**

S.L. 2019-115 amends G.S. 14-12.11 to allow a person to wear a mask while operating a motorcycle. The act also requires a person to remove the mask during encounters with law enforcement.

This act became effective on December 1, 2019, and applies to offenses committed on or after that date.

### **H283 - Conner's Law. (SL 2019-228)**

S.L. 2019-228 changes the penalty level for the following offenses: assaulting a law enforcement officer, probation officer, or parole officer with a firearm is increased from a Class E to a Class D felony; assaulting emergency personnel causing serious bodily injury or using a deadly weapon is increased from a Class H to a Class G felony; and assaulting emergency personnel with a firearm is increased from a Class F to Class E felony.

These changes became effective December 1, 2019, and apply to offenses committed on or after that date.

The act also provides a new death benefit of \$100,000 for public safety employees murdered in the line of duty.

This provision will become effective upon appropriation of funds for its implementation, and will apply to qualifying deaths occurring on or after July 1, 2016.

In addition, the act makes a technical change to a related death benefit provision, retroactively effective April 1, 2017, and applicable to qualifying deaths occurring on or after that date.

### **H474 - Death by Distribution. (SL 2019-83)**

S.L. 2019-83 creates two criminal offenses regarding the sale of controlled substances that result in the death of the user: death by distribution, a Class C felony, and aggravated death by distribution, a Class B2 felony.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

### **H760 - Expand Loss Prevention Investigations. (SL 2019-193)**

S.L. 2019-193 does the following:

- Expands the investigative authority of loss prevention workers by clarifying that those workers are not included in the definition of a private protective services profession.
- Clarifies that a prosecution for obtaining property by false pretenses is not barred because some acts constituting the crime did not occur within the State.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

### **S9 - Female Genital Mutilation/Clarify Prohibition. (SL 2019-183)**

S.L. 2019-18 specifically prohibits genital mutilation of a female child; consenting to the genital mutilation of a female child; and removing a child from North Carolina for the purpose of female genital mutilation.

This act became effective October 1, 2019, and applies to offenses committed on or after that date.

### **S151 - Break or Enter Pharmacy/Increase Penalty. (SL 2019-40)**

S.L. 2019-40 makes it a Class E felony to break or enter into a pharmacy with the intent to commit a larceny of a controlled substance, a Class F felony to possess or receive a controlled substance stolen from a pharmacy, and authorizes the forfeiture of any interest in property that a person acquires or maintains from a violation of this act.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

### **S154 - Allow Sports/Horse Race Wagering Tribal Lands. (SL 2019-163)**

S.L. 2019-163 allows sports and horse race wagering on tribal lands.

This act became effective on July 26, 2019.

### **S584 - Criminal Law Reform. (SL 2019-198)**

S.L. 2019-198 subjects all rules adopted on or after January 1, 2020, and creating criminal penalties to a delayed effective date, extends the deadline for local governments and State agencies to report on ordinances and rules subject to a criminal penalty to November 1, 2019, and requires the General Statutes Commission to study the reports received.

These provisions of this act became effective August 14, 2019.

This act also makes a change to criminal penalties related to real estate licensing, which became effective December 1, 2019, and applies to offenses committed on or after that date.



# Education

See full summary documents for additional detail

## **H57 - Create Term for Public Schools & Codify NCVPS. (SL 2019-51)**

S.L. 2019-51:

- Creates a new definition for the education chapter of the General Statutes for the term "public school unit" to refer collectively to multiple types of public schools in the State.
- Codifies the North Carolina Virtual Public School program (NCVPS) in the education chapter of the General Statutes to consolidate all references to the NCVPS program.

This act became effective July 1, 2019, and applies beginning with the 2019-2020 school year.

## **H75 - School Safety Funds, Programs, and Reports. (SL 2019-222)**

S.L. 2019-222 appropriates funding and makes changes to programs and reports related to school safety.

### Section 2.1: Census of School Resource Officers

Section 2.1 of S.L. 2019-222 directs the Center for Safer Schools (Center) to conduct an annual census of school resource officers located in each public school unit. The Center must submit this information to the Joint Legislative Education Oversight Committee by March 1 annually. The report must include the following information:

- The total number of school resource officers in the State and in each public school unit.
- Data regarding school resources officers' education levels, years as sworn law enforcement officers, and years as school resource officers.
- Training required of school resource officers and training actually completed by school resource officers, including training specific to the position of school resource officer and other advanced or additional training.
- The funding source for all school resource officers.
- The location of school resource officers, differentiated by grade levels and type of public school unit.
- The percentage of school resource officers assigned to more than one school.
- The law enforcement affiliation of school resource officers.

### Section 3.1: School Safety Grant Programs

Section 3.1 of S.L. 2019-222 codifies grants for school resource officers and provides additional nonrecurring grants in 2019-2020 for students in crisis, training to increase school safety, and safety equipment in schools.

### Section 4.1: School Mental Health Crisis Response Program

Section 4.1 of S.L. 2019-222 directs the Department of Public Instruction (DPI) and the Center for Safer Schools, in consultation with the Department of Health and Human Services and the Department of Public Safety, Division of Emergency Management, to develop a recommended program to facilitate the transfer

of school mental health support personnel between school districts during or after a crisis. By no later than March 15, 2020, DPI is required to submit a report on the recommended program to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services that includes, at a minimum, all of the following information:

- A suggested protocol for receiving and relaying requests for additional school mental health support personnel.
- Any anticipated costs associated with temporary transfers of personnel.
- Information about any similar programs in other states.
- Any additional recommendations for improving how local school administrative units can share school mental health support personnel.

#### Section 5.1: School Mental Health Support Personnel Reports and Funds

Section 5.1 of S.L. 2019-222 requires annual local and statewide reports on differences in the number of school mental health support personnel in the State from year to year. Additionally, the section appropriates \$20 million for the 2019-2020 fiscal year and \$23 million for the 2020-2021 fiscal year to the Instructional Support Allotment, with the intent that these additional funds be used for additional school mental health support personnel.

#### Section 6.1: School Psychologists and School Counselor Position Study

Section 6.1 of S.L. 2019-222 directs the Department of Public Instruction (DPI) to study and report on school psychologists and school counselor positions. The study and report must include a review of at least the following:

- The number of school psychologist and school counselor positions in the State and in each local school administrative unit (LEA).
- The allocation of school psychologists and school counselors in each LEA among schools within those units.
- The methodology each LEA uses to determine the allocation of school psychologists and school counselors within the LEA.
- The density of school psychologists and school counselors in each geographic region of the State.
- The number, percentage, and average salary of school psychologist and school counselor positions funded with State dollars and funded with non-State dollars.
- The extent to which LEAs provide school psychologists and school counselors with local salary supplements and the amounts of those salary supplements.
- Job descriptions posted for school psychologist and school counselor positions as compared to actual duties of school counselors.

DPI must submit a survey to LEAs no later than November 1, 2019, on any topics identified above that can be answered by an LEA. LEAs must respond to the survey by January 31, 2020. DPI must consolidate the information reported by the LEAs, provide context and analysis, as necessary, and report the results of its study to the Joint Legislative Education Oversight Committee and the Fiscal Research Division no later than April 1, 2020.

This act became effective July 1, 2019, except as otherwise provided in the act.

## **H107 - PED Oversight/EPP Changes. (SL 2019-149)**

S.L. 2019-149 does all of the following:

- Removes the quality of students entering the educator preparation program (EPP) as a performance standard, to instead only be included in the annual performance report.
- Makes various clarifying and technical changes to the annual performance report.
- Modifies the criteria by which an EPP can be sanctioned.
- Directs the State Board of Education (SBE), in consultation with the Department of Public Instruction (DPI) and the Professional Educator Preparation and Standards Commission (PEPSC), to develop a formulaic, performance-based weighted model and report to the Joint Legislative Education Oversight Committee (JLEOC) before implementing the model.
- Directs the SBE, in consultation with PEPSC, to study the inclusion of the two-year retention rate for individuals who have completed the EPP and become initially licensed and employed in a North Carolina public school as a performance measure for EPPs and to report on the results of the study to JLEOC before starting to use the performance measure.
- Directs the SBE to adopt a rule creating a small group reporting exception any time data are at risk of being individually identifiable.

The act became effective July 22, 2019. The changes to the performance measures and annual performance reports apply to EPPs authorized by the SBE on or after July 22, 2019, and reports and reviews submitted based on data collected from the 2019-2020 academic year.

## **H362 - 15-Point Scale For School Performance Grades. (SL 2019-154)**

S.L. 2019-154 codifies the 15-point scale for the determination of school performance grades; requires the State Board of Education to adopt emergency rules in preparation for permanent rulemaking; and directs the State Board of Education to study the reporting methods used for school accountability purposes on the North Carolina annual school report cards.

This act became effective July 22, 2019, and the codified 15-point grading scale applies beginning with the 2019-2020 school year.

## **H377 - Teacher Step Act.**

### **Sec. 2.5: Principal Recruitment Supplement. (SL 2019-247)**

Section 2.5 of S.L. 2019-247 directs the Department of Public Instruction (DPI) to establish the Principal Recruitment Supplement Program (Program) to provide time-limited salary supplements to qualifying principals of qualifying schools. A qualifying principal who accepts a position as a principal in a qualifying school will receive an annual salary supplement of \$30,000 as long as the principal stays with that school up to a maximum period of 36 months subject to the following requirements:

- A qualifying principal is not to be excluded in future years from contracting with the same eligible employer or a different eligible employer for another salary supplement.
  - A qualifying principal who works at a qualifying school will continue to receive the salary supplement for up to 36 months even if one or more of the following occur: (i) the principal

no longer meets the definition of a qualifying principal; or (ii) the school is no longer an eligible school that meets the definition of a qualifying school.

- The salary supplements are not considered compensation under the Teachers' and State Employees' Retirement System.

To the extent that funds are available for the Program, DPI must notify eligible employers with one or more eligible schools that they may be selected to participate in the program and the eligible employer must notify DPI that it wishes to be in the Program. DPI must select up to a statewide total of 40 schools and must prioritize eligible schools with the lowest overall school performance scores. Eligible employers must notify DPI of the principals, schools, and the length of time the qualifying principal will receive the salary supplement. The principals must begin employment by August 1, 2020.

The salary supplements are to supplement and not supplant State and non-State funds already provided for principal compensation. By March 15, 2021 and every year thereafter in which funds are expended under the Program, DPI must report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly on the Program. The report must include:

- The impact of the Program on school performance, including the performance of schools receiving a principal in the Program and schools that lost a principal due to the Program.
- The number of principals participating in the Program.
- The identity of the schools participating in the Program.
- The length and rate of retention of principals with the Program and at specific schools within the Program.

This section became effective July 1, 2019.

#### **H411 - Modify School Qual./Student Success Indicator. (SL 2019-142)**

Sections 1-4 of S.L. 2019-142 combine career and college readiness indicators for both school performance grades required under State law as well as for federal reporting purposes under the Every Student Succeeds Act (ESSA) and require the State Board of Education to include additional career and college readiness information on annual school report cards.

Sections 5-6 of the act allow the identity of a prize winner of \$50 million or more in the NC Education Lottery to be held confidential until ninety days after the prize is claimed, if requested by the prize winner.

The act became effective July 19, 2019. Sections 1-4 apply to measures based on data from the 2018-2019 school year and each school year thereafter.

#### **H664 - myFutureNC/Postsecondary Attainment Goal. (SL 2019-55)**

S.L. 2019-55 establishes the postsecondary educational attainment goal for the State that, by the year 2030, 2,000,000 residents between the ages of 25 and 44 will have completed a high quality credential or postsecondary degree.

This act became effective June 26, 2019.

## **H668 - Various Higher Education Changes. (SL 2019-139)**

S.L. 2019-139 makes the following changes to higher education laws:

- Authorizes community colleges to use adequate insurance coverage in place of bonds for employees handling institutional funds and property.
- Renames the University Of North Carolina Center For Public Television as The University Of North Carolina Center For Public Media.
- Authorizes the Board of Governors of The University of North Carolina to establish policies that allow certain lease purchase agreements.
- Allows evidence of North Carolina high school graduation for students to rebut the presumption that the student's residence is the parent's residence for establishing residency for in state tuition purposes for North Carolina community colleges and universities.

The act became effective July 19, 2019.

## **H924 - Teacher Contract Changes. (SL 2019-82)**

S.L. 2019-82 makes clarifications in regard to teacher contracts and creates new course requirements for graduation.

### Section 1: Teacher Contracts

Section 1 of S.L. 2019-82 clarifies how much time a teacher must have already worked for a local board of education in order to be eligible for an extended employment contract, including defining a year of employment as no less than 120 workdays as a teacher in a full-time permanent position and authorizing local boards of education to require consecutive years of employment before offering longer contracts, subject to certain limitations.

Section 1 of this act became effective July 8, 2019, and applies to contracts executed on or after that date.

### Sections 2-6: Economic and Personal Finance Graduation Requirement

Sections 2-6 of S.L. 2019-82 require a new course in economics and personal finance (EPF) as a graduation requirement for students, as well as professional development for teachers of that course. It also clarifies requirements for the existing high school civics course, and directs the State Board of Education to revise the standards for the social studies standard course of study.

Sections 2-6 of the act became effective June 28, 2019. The completion of the EPF course for graduation applies beginning with students entering the ninth grade in the 2020-2021 school year and changes to the high school civics course apply beginning with students entering ninth grade in the 2021-2022 school year.

## **S61 - Community Colleges Budget/2019-2021 Biennium. (SL 2019-235)**

S.L. 2019-235 makes changes related to the North Carolina Community College System.

### Section 3.1: Codify Reorganization Authority of Community Colleges System Office

Section 3.1 of S.L. 2019-235 codifies the authority of the President of the North Carolina Community Colleges System Office to reorganize that office with approval of the State Board of Community Colleges.

This section became effective July 1, 2019.

### Section 3.2: Community College Tuition Waiver/Campus Police of Private Institutions of Higher Education

Section 3.2 of S.L. 2019-235 allows the State Board of Community Colleges to provide waivers of tuition and registration fees to the campus police agencies of private institutions of higher education that have been certified by the Attorney General to be campus police agencies pursuant to Chapter 74G of the General Statutes.

This section became effective July 1, 2019, and applies beginning with the 2019-2020 school year.

### Section 3.3: North Carolina Career Coaches/Local Matching Funds

Section 3.3 of S.L. 2019-235 makes changes to the requirements for the local matching funds for the North Carolina Career Coach Program (Program).

This section became effective July 1, 2019.

### Section 3.4: Community Colleges Earn FTE for Instruction in Local Jails

Section 3.4 of S.L. 2019-235 allows community colleges to earn regular budget full-time equivalents for instruction offered in local jails beginning with the 2019-2020 academic year.

This section became effective July 1, 2019.

### Section 3.5: Waive Tuition/Dependents of Fallen Correctional Officers

Section 3.5 of S.L. 2019-235 waives tuition at public universities and community colleges for spouses and dependents of correctional officers killed or permanently disabled in the line of duty.

This section became effective July 1, 2019, and applies beginning with the 2019-2020 academic year.

### Section 3.8: Community College System Transition

Section 3.8 of S.L. 2019-235 requires the Community College System Office to enter into a memorandum of understanding with the Department of Information to coordinate information technology systems and policies. This section repeals a report due by October 1, 2019, and instead requires a report by February 1, 2020, from the Community College System Office and State CIO to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on the memorandum of understanding.

This section became effective July 1, 2019.

### Section 4.1: Education Lottery Scholarship Modifications

Section 4.1 of S.L. 2019-235 increases the threshold for students who are eligible for education lottery scholarships in North Carolina. Under this section, students are considered "needy North Carolina students" if their expected family contribution under federal methodology does not exceed \$6,000. Additionally, this section increases the limit on annual scholarship awards from \$4,000 to \$5,100, including any federal Pell Grant.

This section became effective July 1, 2019, and applies beginning with the award of scholarships for the 2020-2021 academic year.

### **S219 - Modify Teacher Licensing Requirements. (SL 2019-71)**

S.L. 2019-71, as amended by Sec. 8 of S.L. 2019-212, does all of the following:

- Makes various changes related to testing to the initial professional teacher (IPL) licensure statutes.
- Creates a one-year IPL extension for certain teachers.
- Creates a new limited teaching license for individuals who do not meet the criteria for a continuing professional license and for out-of-state teacher licensees.
- Authorizes local boards of education to determine experience credit for newly employed teachers to pay them at the commensurate level on the State salary schedule during the first year of employment.
- Reduces the service requirement for a lifetime teaching license from 50 years to 30 years.
- Provides for emergency rulemaking to effectuate the requirements of the act.

This act became effective July 1, 2019, and, except as otherwise provided, applies beginning July 19, 2019.

### **S225 - Repeal Tuition Surcharge. (SL 2019-68)**

S.L. 2019-68 repeals the 50% tuition surcharge imposed on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than 110% of the credit hours to complete a baccalaureate degree in a five-year program.

This act became effective July 1, 2019, and applies beginning with the 2019-2020 academic year.

### **S227 - TP3/Principal Fellows Consolidation. (SL 2019-60)**

S.L. 2019-60 does the following:

- Maintains the existing administration of the Transforming Principal Preparation Program (TP3) for current grant recipients until 2021.
- Expands the Principal Fellows Commission to include the TP3.
- Repeals the Principal Fellows Program in 2021.

The repeal of the scheduled transfer of the existing TP3 to the Principal Fellows Commission became effective June 30, 2019. The existing TP3 will be repealed July 1, 2021. The elimination of the Principal Fellows Program and corresponding changes become effective July 1, 2021. The remainder of the act became effective June 27, 2019.

### **S230 - NC Military and Veteran Act of 2019. (SL 2019-201)**

S.L. 2019-201 does all of the following:

- Provides for a minimum of 2 days per academic year for excused absences related to a parent or legal guardian's service in a combat zone.
- Requires the Program Evaluation Division (PED) to study the extent to which the provisions of G.S. 93B-15.1 have improved the ability of military-trained applicants and military spouses to become licensed by occupational licensing boards in the State.
- Requires the department of social services to collect information regarding the caretaker's military affiliation in the course of an abuse, neglect, or dependency assessment, and if evidence of abuse is found by the director, requires the director to report the abuse to the appropriate military agency.
- Expands the definition of "child" for the purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and requires the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.
- Allows for certain military veterans and other individuals to be charged the in-State tuition rate, regardless of the 12-month residency requirement.

This act became effective August 23, 2019.

### **S301 - Regional School Modifications. (SL 2019-184)**

S.L. 2019-184 creates a process for withdrawal of participating units from a regional school. Participating units can adopt and submit a withdrawal resolution to the regional board of directors. If the board of directors conditionally approves the resolution with a two-thirds majority vote, the resolution can be given final approval by the State Board of Education.

This act became effective August 1, 2019.

### **S343 - Various Education Law Changes. (SL 2019-165)**

S.L. 2019-165 makes changes to various education reports including date changes, repeals of certain reports, and modifications of information to be reported. It also (i) clarifies the Education Workforce Innovation Commission's membership, (ii) staggers the appointments to the Professional Educator Preparation and Standards Commission, and (iii) exempts the State Board's actions regarding charter schools from contested case laws.

This act became effective July 26, 2019, except as otherwise provided in the act.



### **S366 - 9th/10th Grade/College Transfer Pathways. (SL 2019-185)**

S.L. 2019-185 does all of the following: (i) expands the career and technical education (CTE) pathway to high school freshmen and sophomores to include construction and business technologies courses, (ii) expands the college transfer pathway to certain high school freshmen and sophomores, (iii) requires that those freshmen and sophomores receive academic advising on entering college early and get parental consent before participating in the pathway, and (iv) makes changes to adjunct CTE instructor hiring and employment.

The act became effective August 1, 2019, and applies beginning with the 2019-2020 school year.

### **S448 - Amend Appointment For Compact on Education/Military. (SL 2019-38)**

S.L. 2019-38 amends the requirements for an individual to be appointed as compact commissioner under the Interstate Compact on Educational Opportunity for Military Children.

This act became effective June 21, 2019.

### **S500 - Modify Advanced Math Course Enrollment. (SL 2019-120)**

S.L. 2019-120 does the following:

- Clarifies requirements for advanced math course enrollment.
- Requires reporting on advanced math course enrollment.
- For the 2019-2020 school year only, exempts certain schools from the requirement that 7th grade students who score at the highest level be enrolled in a high school math course in 8th grade.
- Authorizes local boards of education to provide supplemental content enrichment to students enrolled in a high school level math course, if needed.
- Clarifies that schools exempted from the 8th grade math placement requirement in 2019-2020 may still offer high school math in 8th grade if they choose.

This act became effective July 11, 2019, and applies beginning with the 2019-2020 school year.

### **S522 - Low-Performing Schools/Advanced Teaching Roles. (SL 2019-248)**

S.L. 2019-248 makes changes to the Innovative School District and Advanced Teaching Roles Pilot Program.

#### **Section 1: Innovative School District**

Section 1 of S.L. 2019-248 does the following:

- Changes the selection process for schools in the Innovative School District (ISD).

- Makes additional changes to the ISD statutes.
- Requires additional reporting by local boards of education to county commissioners on the academic performance of certain schools.
- Requires additional study on changes to the ISD and statutes related to low-performing schools.

Section 1 of this act became effective November 11, 2019, and applies beginning with schools identified as qualifying schools for the 2019-2020 school year, based on the data from the 2018-2019 school year.

#### Section 2: Advanced Teaching Roles Pilot Program

Section 2 of S.L. 2019-248 eliminates the cap on local boards of education that can participate in the Advanced Teaching Roles Pilot Program and exempts participating schools from class size requirements.

Section 2 of this act became effective November 11, 2019.

### **S600 - Vets Children/Short-Term Workforce Training. (SL 2019-214)**

S.L. 2019-214, Sec. 1, allows children of wartime veterans receiving a Class I-A, I-B or IV children of wartime veterans scholarship to use those funds to cover the cost of short-term workforce training courses leading to industry credentials.

Section 1 became effective September 4, 2019, and applies to scholarships awarded beginning with the 2019 2020 academic year.

S.L. 2019-214, Sec. 2 modifies the definition of a regional public safety answering point (PSAP) to include PSAPs operated through an intergovernmental support agreement by local governments with a major military installation.

Section 2 became effective September 4, 2019, and applies to distributions for PSAPs the 2019-2020 fiscal year and subsequent fiscal years.

### **S621 - Testing Reduction Act of 2019. (SL 2019-212)**

S.L. 2019-212 reduces student testing requirements and makes other changes related to education laws in the State as follows:

- Eliminates the North Carolina Final Exams (NCFEs).
- Requires the Superintendent of Public Instruction to report on the North Carolina Personalized Assessment Tool (NCPAT) pilot.
- Requires reporting on and reductions in local testing.
- Requires local funding for economically disadvantaged students for graduation projects.
- Requires a review of the third grade reading end-of-grade test to ensure alignment with the Read to Achieve alternative assessment.
- Directs the State Board of Education (SBE) to recommend how to transition to a competency-based assessment and teaching model for all elementary and secondary school students in the State.
- Clarifies the definition of high-need retired teachers.
- Makes various changes to teacher licensure exam requirements.

This act became effective September 4, 2019, except as otherwise provided in the act.

# Environment, Natural Resources, and Energy

See full summary documents for additional detail

## **H268 - Amend On-Site Wastewater Laws. (SL 2019-151)**

S.L. 2019-151 disapproves certain wastewater rules adopted by the North Carolina Commission for Public Health, creates a task force to study and recommend new wastewater rules to the Commission, amends the approval process for wastewater dispersal systems, and allows soil scientists to approve non-engineered wastewater systems.

This act became effective July 22, 2019.

## **H495 - No Municipal Regulation of Off-Site Wastewater Systems. (SL 2019-131)**

S.L. 2019-131 prohibits municipalities from enacting ordinances or enforcing existing ordinances to prohibit or regulate the use of off-site wastewater systems or other systems approved by the Department of Public Health under rules adopted by the Commission for Public Health when the systems meets the conditions of the approval.

This act became effective July 19, 2019.

## **H532 - DNCR Add New Trails & Various Changes. (SL 2019-20)**

S.L. 2019-20 adds two trails to the State Trails System, makes various technical, clarifying, and conforming changes to the States Parks Act and the North Carolina Trails System Act, and transfers authority to administer the federal Land and Water Conservation Fund to the Department of Natural and Cultural Resources.

This act became effective June 3, 2019.

## **H761 - Clarify Wastewater Permitting Liability. (SL 2019-126)**

S.L. 2019-126 provides that the Department of Health and Humans Services, its authorized agents, and local health departments bear no liability for wastewater systems failures that are a direct result of certain wastewater system evaluations conducted by licensed soil scientists or licensed geologists.

This act became effective July 19, 2019.

### **H812 - Nutrient Offset Amendments. (SL 2019-86)**

S.L. 2019-86 allows a wastewater facility to offset its nutrient reduction requirements with nutrient offset credits from a nutrient offset project located in another hydrologic area if the project is downstream from the wastewater facility and upstream from the impaired water body.

This act became effective July 8, 2019, and applies to nutrient offset credits purchased on or after that date.

### **S95 - Veterans Memorial Funds/Do Not Revert. (SL 2019-75)**

S.L. 2019-75 does the following:

- Provides that funds appropriated for the construction of public facilities at the North Carolina Veterans Memorial Pavilion do not revert to the General Fund until June 30, 2020.
- Extends until June 30, 2021, the time in which funds allocated for water lines for Rockingham and Guilford counties, and certain municipalities within those counties, may be used before reverting to the General Fund, and expands the use of those funds to include sewer and wastewater projects.
- Allocates funds that were directed to be used to provide a grant to the Resource Institute, Inc. for hurricane mitigation projects on Topsail Island directly to the Towns of North Topsail Beach, Surf City, and Topsail Beach for hurricane recovery projects.
- Provides that funds allocated for planning and permitting of a satellite aquarium area shall instead be used to address storm damage at the Core Sound Waterfowl Museum and Heritage Center and to add the home of civil rights leader Golden Frinks to the Historic Edenton State Historic Site.
- Clarifies the purpose of water and wastewater infrastructure funding to the Town of Mount Airy.

This act became effective June 30, 2019.

### **S429 - Disaster Recovery - 2019 Budget Provisions. (SL 2019-224)**

S.L. 2019-224 contains identical appropriations and allocations for disaster recovery matters that are contained in the 2019 Appropriations Act (HB 966, 2019 Regular Session).

This act has various effective dates. Please see the full summary for more detail.

### **S433 - DNCR Omnibus & Other Changes. (SL 2019-241)**

S.L. 2019-241 amends State law as follows:

- Makes various changes to the statutes governing the Department of Natural and Cultural Resources (DNCR).
- Removes certain lands from the State Nature and Historic Preserve, as recommended by DNCR.
- Directs the NC Policy Collaboratory (Collaboratory) to create an inventory of aqueous film-forming foam currently in use by North Carolina fire departments and develop a process for the safe collection and disposal of unneeded foam.

- Extends the deadline for Collaboratory study on nontargeted PFAS analysis.
- Makes other various changes to certain effective dates and certain funding for disaster recovery and emergency operating funds for utilities.
- Adjusts for inflation the threshold for Department of Administration approval of State leases.
- Clarifies and amends the septic tank site suitability determination process.

This act became effective November 6, 2019, except that the section of the act pertaining to certain State park violations became effective December 1, 2019 and applies to offenses committed on or after that date.

**S525 - Textile Hist. Site/Operate SE NC Museum. (SL 2019-118)**

S.L. 2019-188 directs the Department of Natural and Cultural Resources (DNCR) to determine the feasibility of creating a State historic site or State museum focused on the State's textile production and industrial history, determine the feasibility of operating a museum in southeastern North Carolina, and report its findings and recommendations by May 1, 2020 or October 1, 2020. The act allows DNCR to use up to \$20,000 in funds appropriated to it for the 2018-2019 fiscal year for some of the evaluations and reports required by this act.

This act became effective July 11, 2019.

**S535 - Authorize State Park/Clarify Corps Name. (SL 2019-138)**

S.L. 2019-138 authorizes the Department of Natural and Cultural Resources (DNCR) to add Pisgah View State Park to the State Parks System, and updates the General Statutes to reflect a conservation group's name change.

This act became effective July 19, 2019.

**S610 - Authorize Northern Peaks Trail. (SL 2019-74)**

S.L. 2019-74 authorizes the Department of Natural and Cultural Resources to add the proposed Northern Peaks State Trail to the State Parks System.

This act became effective July 1, 2019.

**S648 - Support Shellfish Aquaculture. (SL 2019-37)**

S.L. 2019-37 makes the following changes to State laws governing shellfish aquaculture:

- Authorizes the establishment of Shellfish Aquaculture Enterprise Areas.
- Establishes the Pamlico Sound Shellfish Aquaculture Pilot Project.
- Increases the production and planting requirements for shellfish leases.
- Facilitates the transition of terminated leases to productive uses.

- Allows transplanting of seed oysters and seed clams from permitted aquaculture operation nursery facilities in prohibited waters.
- Establishes a new administrative process for certain appeals of shellfish lease decisions.
- Establishes temporary moratoria on shellfish leasing in the New Hanover County Area and in Bogue Sound.
- Establishes various studies related to shellfish aquaculture.

This act became effective July 1, 2019.

# Finance

See full summary documents for additional detail

## **H399 - Extend Tax Credits/Other Finance Changes. (SL 2019-237)**

S.L. 2019-237 makes the following finance law changes:

- Allows an income exclusion for distributions from IRAs to charities by taxpayers age 70½ or older, effective for taxable years beginning on or after January 1, 2019.
- Allows an income tax deduction for amounts received as a JDIG, JMAC, or OneNC grant, effective for taxable years beginning on or after January 1, 2020.
- Extends the following sunsets for four years, from January 1, 2020, until January 1, 2024:
  - Historic Rehabilitation Tax Credit.
  - Sales tax exemption and refund for professional motorsports racing teams or related members of a team.
  - Sales tax exemption for aviation gasoline and jet fuel sold to an interstate air business.
- Extends the Mill Rehabilitation Tax Credit for an eligible railroad station that meets certain conditions.
- Extends the Dry-Cleaning Solvent Cleanup program, and the revenues used to fund the program, for 10 years.
- Sets the insurance regulatory charge at 6.5% for the 2020 calendar year.

S.L. 2019-237 appropriates the following amounts to the Department of Revenue from the Collections Assistance Fee Special Fund:

- \$12.5 million for critical costs associated with tax systems operations and maintenance upgrades for the 2019-20 fiscal year.
- \$4.4 million to contract with a vendor to perform identity theft and tax fraud analysis using the Government Data Analytics Center (GDAC) for the 2019-20 and the 2020-21 fiscal years.

This act has various effective dates. Please see the full summary for more detail.

## **H492 - Simplify Builder Inventory Exclusion. (SL 2019-123)**

S.L. 2019-123 allows a builder to file a one-time application for the builder inventory property tax exclusion, effective for property tax years beginning July 1, 2019.

## **H537 - Alt. Hwy Use Tax Vehicle Subscriptions. (SL 2019-69)**

S.L. 2019-69 defines "vehicle subscription" for purposes of the application of the alternate highway use tax and sets the tax rate at 5%, which is applied to the gross receipts derived from vehicle subscriptions. Under prior law, these subscriptions were considered short-term rentals by way of an interpretation of the Department of Revenue, which are subject to a rate of 8%.

This act became effective October 1, 2019, and applies to vehicle subscription agreements entered on or after that date.



## **S56 - Revenue Laws Technical Changes. (SL 2019-6)**

S.L. 2019-6 makes various technical changes to the State's revenue laws as recommended by the Department of Revenue including:

- Updates the reference to the version of the federal Internal Revenue Code (IRC) used to compute North Carolina tax items from February 9, 2018, to January 1, 2019.
- Requires a seller who, in the previous or current calendar year, made gross sales of more than \$100,000 sourced to North Carolina or who made 200 or more separate sales transactions sourced to this State to collect and remit North Carolina sales and use tax.

The act became effective March 20, 2019; however, many sections were already effective under the Department's administrative rules.

## **S498 - Facilitate Response to Disasters. (SL 2019-187)**

S.L. 2019-187 helps facilitate and expedite recovery after a natural disaster in two ways:

- Provides that nonresident businesses and nonresident employees that are requested to come into the State by a critical infrastructure company are not doing business in this State for the disaster-related work performed during the disaster response period; therefore are exempt from registration requirements and various State tax filing and payment requirements.
- Allows the Secretary of Revenue to issue a temporary license to an importer, exporter, distributor, or transporter of motor fuel in response to a disaster declaration without requiring that person to post a bond or obtain a certificate of authority to operate in this State from the Secretary of State.

This act became effective on August 1, 2019.

## **S523 - Rev. Laws Clarifying & Administrative Changes. (SL 2019-169)**

S.L. 2019-169 makes technical, clarifying, and administrative changes to the State's Revenue Laws, most of which were recommended by the Department of Revenue, including:

### With respect to sales tax,

- Broadens the scope of the sales tax on digital property by eliminating the requirement that an item have a taxable, tangible corollary in order to be taxable.
- Clarifies that counties must wait at least one year from the date of the last preceding election before holding another special election on the issue of levying the quarter-cent local option sales tax.
- Clarifies the taxation of repair, maintenance, and installation services provided by property managers pursuant to a property management contract.
- Creates a new category of limited service car washes and exempts them from sales tax.
- Exempts the sales of equipment, including attachments and repair parts, used in cutting, shaping, polishing and finishing slabs of natural and engineered stone sold to a company primarily engaged in the business of made-to-order countertops, walls, or tubs.

- Exempts certain incontinence supplies when those supplies are paid for by the State's Medicaid program.

With respect to the tobacco excise tax,

- Requires tobacco product licensees to renew their excise tax license every three years at no cost. Currently, these licenses are not required to be renewed after the initial issuance.
- Regulates the Internet sale of tobacco products, except for cigars. Many of the requirements are already required under federal law with respect to cigarettes and smokeless tobacco products.

With respect to collection and other administrative matters,

- Imposes the collection assistance fee after 60 days. Currently, the fee is imposed after 90 days.
- Makes three groups of informational returns subject to penalties for failure to file and failure to file in the correct format: Article 2A Tobacco Products Tax; Article 2C Alcoholic Beverage License and Excise Taxes; and Article 4 Income Tax (includes informational returns from payers and partnerships).
- Broadens the innocent spouse relief provision to mirror the federal law and provide relief for both underpayments and understatements of tax.
- Restores the venue for criminal tax law violations to the office of the Secretary in Raleigh, which was the law prior to December 1, 2018.

S.L. 2019-169 became effective July 26, 2019; however, many sections have separate effective dates as detailed in the bill analysis.

**S557 - Various Finance Law Changes. (SL 2019-246)**

S.L. 2019-246 makes the following finance law changes :

- Increases the standard deduction by 7.5%, from \$20,000 to \$21,500 for MFJ, effective for taxable years beginning on or after January 1, 2020.
- Expands the definition of "holding company" for franchise tax purposes, effective for taxable years beginning on or after January 1, 2020.
- Requires a multistate corporation to calculate its sales factor, for apportionment purposes, based on the percentage of income attributed to the consumption of products and services in the North Carolina marketplace, effective for taxable years beginning on or after January 1, 2020.
- Obligates a "marketplace facilitator" that meets the same threshold applicable to remote retailers to calculate, collect, and remit sales tax on a third-party seller's behalf, effective February 1, 2020.
- Directs the Revenue Laws Study Committee to review certain tax sunset provisions.
- Requires the Department of Revenue to update its electronic tax systems to store and recognize power of attorney registrations to ensure that notices are simultaneously sent to both the taxpayer and the person designated in the taxpayer's power of attorney.

# Health and Human Services

See full summary documents for additional detail

## **H50 - Allow Hyperbaric Oxygen Therapy for Traumatic Brain Injury and Posttraumatic Stress Disorder. (SL 2019-175)**

S.L. 2019-175 enacts the North Carolina Veterans Traumatic Brain Injury and Posttraumatic Stress Disorder Treatment and Recovery Act of 2019. It provides that any veteran residing in North Carolina and diagnosed with traumatic brain injury or posttraumatic stress disorder by an authorized medical professional may receive hyperbaric oxygen therapy treatment in the State.

This act became effective October 1, 2019.

## **H70 - Delay NC HealthConnex for Certain Providers. (SL 2019-23)**

S.L. 2019-23 amends G.S. 90-414.4 to (1) extend the deadline by which providers not mentioned elsewhere in the statute have to connect to the Health Information Exchange (HIE) to June 1, 2020, (2) allow psychiatrists and the State Laboratory of Public Health until June 1, 2021, before they are required to connect, (3) allow State health care facilities until June 1, 2021, until they are required to submit claims data, (4) allow DHHS to extend the connection deadline for providers making a good faith effort to connect to June 1, 2020, (5) allow the Secretary of Health and Human Services to exempt classes of providers from connecting to the HIE through December 31, 2022, and (6) make connection to the HIE voluntary for several types of providers.

This act became effective June 6, 2019

## **H106 - Inmate Health Care & 340B Program. (SL 2019-135)**

S.L. 2019-135 makes a number of changes in to improve medical care to inmates and contain costs.

- Part I of the act requires the Department of Public Safety (DPS) to develop a plan to increase the use of the Central Prison Healthcare Complex and to submit the plan to the Joint Legislative Oversight Committee on Justice and Public Safety; requires a quarterly report on the reimbursement rate for contracted providers; adds a new statute pertaining to Medicaid services for inmates and requires progress reports; requires the issuance of two Requests for Proposals (RFP) to develop an electronic inventory system for medical supplies; requires DPS to study and develop initiatives pertaining to the salaries of all in-prison health services employees; and requires the establishment of a telemedicine pilot program to provide physical health services to inmates.
- Part II requires DPS to partner with the Department of Health and Human Services to access medication pricing under the federal 340B Program; requires DPS to issue a RFP for partnerships between entities covered under the federal 340B Program and four prison regions; requires DPS to develop a Memorandum of Agreement with the University of North Carolina Healthcare Services for the 340B Program; requires periodic reporting; and codifies reporting requirements.

The section of the act pertaining to Medicaid services for inmates and related reporting requirements became effective October 1, 2019, the remainder of the act became effective July 19, 2019.

### **H325 - Opioid Epidemic Response Act. (SL 2019-159)**

S.L. 2019-159 removes the registration requirement for buprenorphine prescribers, decriminalizes the use of drug testing equipment, broadens the objectives of syringe exchange programs, and removes the restriction on using State funds to purchase to purchase needles, hypodermic syringes, or other injection supplies.

This act became effective July 22, 2019.

### **H388 - Immunizing Pharmacists. (SL 2019-21)**

S.L. 2019-21 expands the vaccinations that may be administered by an immunizing pharmacist to allow: 1) persons age 18 and older to receive the Serogroup B meningococcal vaccines, the Human Papillomavirus vaccine, and the Hepatitis A vaccine; 2) children at least age 10 (previously age 14) to receive the influenza vaccine; and 3) children age 6 and up to age 10 to receive the influenza vaccine following a physical examination and prescription order initiated by a provider. A screening questionnaire and safety procedures will be developed for the vaccinations and submitted to the Joint Legislative Oversight Committee on Health and Human Services no later than September 15, 2019.

The authority for immunizing pharmacists to administer additional vaccinations or immunizations became effective October 1, 2019, the remainder of the act became effective June 3, 2019.

### **H548 - Modify Physical Therapy Definition. (SL 2019-43)**

S. L. 2019-43 removes the practice of chiropractic from the definition of physical therapy.

The act became effective October 1, 2019.

### **H656 - Medicaid Changes for Transformation. (SL 2019-81)**

S.L. 2019-81 makes changes to the Medicaid and Health Choice appeals statutes, and to other laws pertaining to the Medicaid and Health Choice programs, that are necessary to implement the transition of these programs to a managed care environment and to capitated contracts with Prepaid Health Plans, as required by the Medicaid Transformation legislation that was enacted in 2015.

This act has various effective dates. Please see the full summary for more detail.

### **H658 - Allow Donations of Unexpired Drugs. (SL 2019-54)**

S.L. 2019-54 amends the criteria for drugs donated to pharmacists or free clinics participating in the Drug, Supplies, and Medical Device Repository Program to allow the donation of drugs that have not reached the

expiration date, rather than requiring the drug to have an expiration date that is six months from the date the drug was donated.

The act became effective June 26, 2019.

### **H735 - Adopt Rules Incorporating 2017 Food Code. (SL 2019-129)**

S.L. 2019-129 allows the Commission for Public Health to adopt rules to incorporate all or part of the 2017 United States Food and Drug Administration Food Code.

This act became effective July 19, 2019.

### **H886 - Study Participation of Operators in NC Pre-K. (SL 2019-87)**

S. L. 2019-87 directs the Department of Health and Human Services, Division of Child Development and Early Education, to study and report on the challenges faced in becoming an NC Pre-K site.

The act became effective July 8, 2019.

### **H934 - Right to Try Adult Stem Cell Treatments. (SL 2019-70)**

Session Law 2019-70 allows patients with chronic or terminal diseases to receive adult stem cell treatment that is in clinical trials on humans, but has not yet been approved by the Food and Drug Administration. It also makes conforming changes to the existing Right to Try Act.

This became effective December 1, 2019, and applies to acts committed on or after that date.

### **S210 - Organ and Tissue Donation/Heart Heroes. (SL 2019-143)**

S.L. 2019-143 removes the exclusion of tissue as an anatomical gift authorized by the placement of a symbol on the donor's driver license or identification card.

The act became effective October 1, 2019.

### **S252 - Dental Bill of Rights. (SL 2019-26)**

S.L. 2019-26 amends the methods of claims payment for dental services, adds requirements for third party access to dental provider network contracts, and includes dental plans for purposes of coverage determinations.

This act became effective January 1, 2020, and applies to health benefit contracts issued, renewed, or amended on or after that date.

### **S297 - Cancer Research Advisory Panel. (SL 2019-145)**

S.L. 2019-145 directs the North Carolina Policy Collaboratory at the University of North Carolina at Chapel Hill to assemble a research advisory panel to study and develop recommendations on how best to implement a research program to determine whether any cancer clusters exist within the State.

This act became effective July 19, 2019.

### **S302 - Update ACH Svc & Care Plan/Bd of Nursing. (SL 2019-180)**

S.L. 2019-180 alters the requirements of the initial resident assessment conducted by adult care homes and allows the use of the Medicaid personal care services (PCS) assessment to satisfy the required resident assessment of physical functioning for activities of daily living (ADLs); amends the assisted living administrator qualifications; and amends the Nursing Practice Act by making a number of changes, many of which are technical and conforming or make the licensing process more efficient.

The changes to the Nursing Practice Act became effective October 1, 2019, and apply to licenses granted or renewed on or after that date and actions taken by the Board of Nursing on or after that date, the remainder of the act became effective July 26, 2019.

### **S444 - Allow Use of Oyster Shells As Serving Dishes. (SL 2019-141)**

S.L. 2019-141 permits oyster shells to be re-used to serve cooked oysters.

This act became effective October 1, 2019.

### **S458 - Posttraumatic Stress Injury Awareness Day/Titus's Law/Data. (SL 2019-225)**

S.L. 2019-225 does the following:

- Designates June 27th of each year as Posttraumatic Stress Injury Awareness Day in the State.
- Requires parental consent before disposing of fetal remains in every instance of unintended fetal death resulting from accidental injury, stillbirth, or miscarriage. If both parents are unable to consent within 7 days, the fetal remains are to be disposed of in accordance with applicable laws and regulations.
- Directs the disposal of fetal remains only by burial, cremation, or incineration in accordance with applicable laws and regulations.
- Authorizes engagement between various State agencies and third party toxicology laboratories to provide data to guide the delivery of drug treatment and law enforcement resources.

The section of this act addressing parental consent and the disposition of fetal remains became effective January 1, 2020 and applies to the disposition of fetal remains on or after that date. The remainder of the act became effective September 18, 2019.

### **S537 - Licensing & HHS Amends & Rural Health Stable. (SL 2019-240)**

S.L. 2019-240 amended a wide range of laws in the health and human services area as outlined below.

- Establishes a new adult care home payment methodology.
- Amends the Licensed Professional Counselors Act effective January 1, 2020.
- Amends the Substance Abuse Professional Practice Act effective October 1, 2019, for licenses granted or renewed on or after that date and for applications for licenses on or after that date; the changes to the structure of the Board effective July 1, 2020.
- Amends the Social Worker Certification and Licensure Act effective January 1, 2021.
- Clarifies the Medicaid subrogation statute.
- Makes technical and clarifying changes to social services reform and the child support enforcement program effective July 1, 2020.
- Changes to the name of the Vocational State Rehabilitation Council.
- Repeals the Employee Assistance Professionals Article.
- Makes technical and conforming changes the adoption preplacement assessment.
- Expands immunity for cooperating in child abuse and neglect reports and assessments.
- Amends laws pertaining to Department of Health and Human Services law enforcement and the joint security force for various facilities.
- Adds a definition for "security recordings" to the mental health statutes.
- Makes a clarifying change to the NC REACH Program.
- Adds a definition for "Traumatic Brain Injury" to the mental health statutes.
- Adds a Continuing Care Retirement Community representative to the Medical Care Commission.
- Postpones the NC FAST Case-Management Functionality for child welfare and aging and adult services.
- Implements statutes pertaining to criminal history record checks for child care institutions.
- Makes technical and conforming changes to involuntary commitment statutes.
- Enacts statutes to address rural health care stabilization.

Except as outlined above, the remainder of this act became effective November 6, 2019.

### **S556 - GSC People First Language 2019. (SL 2019-76)**

Parts I and II of S.L. 2019-76 implement People First drafting by changing the phrase "mental retardation" to "intellectual disability" or "intellectual or other developmental disability" in statutes relating to the provision of services and makes further People First language, technical, and clarifying amendments in those statutes.

Additionally, S.L. 2019-76 adjusts the General Statutes Commission (Commission) membership by:

- removing an appointment to the Commission by the dean of the Charlotte School of Law because of the school's closure;
- deleting a provision that applied only to the original appointments to the Commission and is now obsolete;

- adjusting the beginning and ending dates of appointments to the Commission to align more closely with the Commission's work year;
- resolving ambiguous language dealing with vacancies on the Commission and clarifies what procedure applies; and
- making conforming amendments to these changes.



# Information Technology

See full summary documents for additional detail

## **H217 - Department of Information Technology Changes. (SL 2019-200)**

S.L. 2019-200 makes various technical changes to laws related to the Department of Information Technology (DIT); amends the laws relating to State agency cybersecurity; amends the laws relating to emergency telephone service and the 911 Board; repeals a requirement that cable service franchisees must provide cable service without charge to certain public buildings; creates the Information Technology Strategy Board to advise the State Chief Information Officer; revises the qualifications and training requirements for telecommunicators employed by municipal police agencies; and authorizes the State Chief Information Officer (CIO) to classify or reclassify DIT positions in accordance with the classification system established by the State Human Resources Commission (SHRC) and to set salaries for DIT employees within the salary ranges for the respective position classification established by the SHRC.

The change in requirements applicable to cable service franchisees becomes effective January 1, 2020. The change in qualifications and training requirements for police agency telecommunicators becomes effective July 1, 2021. The remainder of this act became effective August 21, 2019.

# Insurance

**See full summary documents for additional detail**

## **H219 - NAIC Accreditation Amendments. (SL 2019-57)**

S.L. 2019-57 enacts legislative changes to North Carolina's insurance laws to comply with the National Association of Insurance Commissioners (NAIC) and allow the North Carolina Department of Insurance (DOI) to maintain its NAIC accreditation.

Specifically, the act 1) clarifies the legal authority and power of the Commissioner of Insurance (COI) to engage in the group-wide supervision of an internationally active insurance group (IAIG), 2) requires insurers to establish an internal audit function that will evaluate the insurer's governance, risk management, and internal controls, and 3) enacts new legislation requiring insurers to disclose and file their corporate governance practices with the COI.

The section of the act pertaining to the internal audit function requirements becomes effective January 1, 2020, and will allow an insurer who no longer qualifies for an exemption, one calendar year after the year the exemption ends to comply with the internal audit function. The section of the act pertaining to a corporate governance annual disclosure becomes effective January 1, 2020, with the first filing of the CGAD to be made on or before June 1, 2020. Except as otherwise provided, the remainder of this act became effective June 26, 2019.

## **H220 - Insurance Technical Changes. (SL 2019-179)**

S.L. 2019-179 makes various changes to North Carolina's insurance laws, as recommended by the Department of Insurance (DOI), including:

- Makes changes to North Carolina's Holding Company and Surplus Lines Acts.
- Incorporates model act language from the National Association of Insurance Commissioners (NAIC) regarding immunity for independent contractors hired by DOI to assist in delinquency proceedings.
- Makes technical and clarifying changes to consent to rate laws.
- Amends procedures for individuals to receive an expedited external review of noncertification decisions.
- Amends bail bond laws.
- Clarifies the rulemaking authority of the North Carolina Fire and Rescue Commission.
- Makes various changes to the Prepaid Health Plan Licensing Act.
- Makes Medicare Supplement changes.

This act has various effective dates. Please see full summary for more detail. Except as otherwise provided, the act became effective July 26, 2019.

## **H310 - Clarify Insurance Producer Criminal Background Check. (SL 2019-85)**

S.L. 2019-85 exempts applicants for a limited line credit insurance producer license from the requirement to submit to a criminal history record check.

This act became effective October 1, 2019, and applies to applications for a new limited line credit insurance producer license, or a renewal or continuation of a limited line credit insurance producer license received by the Commissioner of Insurance on or after that date.

#### **H755 - Travel Insurance Amendments. (SL 2019-128)**

S.L. 2019-128 incorporates language from the National Association of Insurance Commissioners' (NAIC) Travel Insurance Model Act into North Carolina's insurance laws.

This act becomes effective January 1, 2020.

#### **H922 - Enhance Insurance Coverage/Educ. Buildings. (SL 2019-176)**

S.L. 2019-176 authorizes a Type I transfer and consolidation of the School Insurance Fund Section of the Department of Public Instruction that oversees the management and operation of a system of insurance for public education property, to the Department of Insurance (DOI), as well as a transfer of the Public School Insurance Fund to the DOI. Local boards of education, regional schools, and community colleges are required to purchase flood insurance for all educational property.

This act becomes effective July 1, 2020.

#### **S86 - Small Business Health Care Act. (SL 2019-202)**

S.L. 2019-202 establishes standards for association health plans (AHPs) and fully-insured Path 2 MEWAs.

The study portion of this act becomes effective only when a final judicial order striking down the Department of Labor rule permitting Path 2 MEWAs is issued. The remainder of this act became effective October 1, 2019, and applies to contracts entered into, amended, or renewed on or after January 1, 2020.

#### **S572 - University System Risk Management Provisions. (SL 2019-232)**

S.L. 2019-232 authorizes public universities to obtain liability insurance for alcohol sales.

This act became effective October 18, 2019.

# Labor and Employment

See full summary documents for additional detail

## **S127 - Protect Governmental Accountability. (SL 2019-80)**

S.L. 2019-80 extends whistleblower protection to persons reporting improper government activity to agents and employees of legislative panels duly appointed by the President Pro Tempore and/or the Speaker of the House designated to conduct inquiries on their behalf, and requires State officers, agents, agencies, and departments to provide information upon request to legislative panels and their agents and employees.

This act became effective July 4, 2019.

## **S391 - Expand Youth Internship Opportunities. (SL 2019-166)**

S.L. 2019-166 provides a limited exception to the prohibition on youth ages 16 to 18 participating in occupations found detrimental by the Commissioner of Labor when the youth is participating in a supervised practice experience. To be eligible for this exception, the youth must be enrolled in a school partnering with the employer offering the supervised practice experience and the employer must submit a written agreement to the Commissioner of Labor that the practice experience meets certain supervision and safety requirements consistent with guidance published by the United States Department of Labor, Wage and Hour Division.

The act became effective July 26, 2019, and applies to participation of youth in practical experience programs on or after that date.

# Local Government

See full summary documents for additional detail

## **H675 - 2019 Building Code Regulatory Reform. (SL 2019-174)**

S.L. 2019-174 does all of the following:

- Requires the North Carolina Building Code Council (Building Code Council) to:
  - Create a form for inspection certifications by licensed engineers and licensed architects.
  - Conduct a cost-benefit analysis for all proposed changes to the North Carolina Energy Conservation Code.
  - Consult with the Department of Environmental Quality (DEQ) to study options for on-site disposal of demolition debris.
- Requires the North Carolina Code Officials Qualification Board (Q-Board) to establish a standard certificate for a residential changeout inspector.
- Clarifies the definition of building "component."
- Prohibits cities and counties from requiring:
  - Licensed engineers and licensed architects inspecting building components or elements to submit information other than that required on the inspection certification form.
  - Residential building plans submitted by licensed engineers and licensed architects to be under seal unless required by the North Carolina State Building Code (State Building Code).
  - Developers to bury existing above ground power lines.
  - A minimum square footage for residential structures.
- Requires cities and counties to:
  - Complete initial residential plan reviews within 15 business days.
  - Issue temporary certificates of occupancy in certain circumstances.
- Makes it a Class 2 misdemeanor to falsely claim or suggest that a person, firm, or corporation is a licensed general contractor.
- Exempts, under certain circumstances, temporary motion picture, television, and theater stage sets and scenery from the State Building Code permit requirement.
- Authorizes the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to establish and issue a Residential Fire Sprinkler Design License.
- Extends to October 1, 2021, the requirement to report to the Department of Insurance (DOI), any residential framing inspection resulting in 15 or more violations.
- Requires the DOI to issue a guidance paper by October 1, 2019, on the review of residential building plans.

This act has various effective dates, please see the full summary for more detail.

## **S190 - Expand Special Assessments for Dam Repair. (SL 2019-190)**

S.L. 2019-190 extends the sunset on counties' authority to impose special assessments for dam repair from July 1, 2019 to July 1, 2022, and expands the authority to repair privately-owned dams used for recreational and flood control purposes with a lake between 1,100 and 1,300 acres. The Woodlake dam in Moore County has a lake within this range.

S.L. 2019-151 made the sunset extension effective July 1, 2019. The remainder of this act became effective August 1, 2019.

**S316 - Affordable Housing. (SL 2019-144)**

S.L. 2019-144 directs municipalities with a population of at least 90,000 to report to the General Assembly on local government funding, subsidies, and activities related to affordable housing.

The act became effective July 19, 2019.

**S378 - Local Economic Development Modifications. (SL 2019-112)**

S.L. 2019-112 provides, effective July 11, 2019, that if an appropriation or expenditure for economic development under Chapter 158 is included in the budget for the unit of government making the appropriation or expenditure, no further public hearing on the appropriation or expenditure is needed beyond the public hearing on that annual budget.

# **Military, Veterans, and Indian Affairs**

**See full summary documents for additional detail**

## **S218 - Clarify State Recognition - Lumbee Indians. (SL 2019-162)**

S.L. 2019-162 (i) amends the State recognition of the Lumbee Tribe of North Carolina and (ii) makes changes regarding the conveyance of the Lumbee Tribe Cultural Center, including removing the prohibition on the sale or lease of natural resources from the property with limitations on the use of any funds received as a result.

This act became effective July 25, 2019.

## **S420 - NC Servicemembers Civil Relief Act. (SL 2019-161)**

S.L. 2019-161 enacts the North Carolina Servicemembers Civil Relief Act (NCSCRA) to provide protections for servicemembers engaged in military service and, in some instances, their dependents, in proceedings and transactions involving certain contracts. This act also amends existing State law relating to early rental termination rights by removing references to those service members whose termination rights under federal law have been incorporated into the NCSCRA. These provisions became effective October 1, 2019, and apply to contracts entered into, renewed, or modified on or after that date.

Effective July 25, 2019, this act also provides that a member of the North Carolina National Guard has the right to take leave without pay from the member's civilian employment, rather than being required to use vacation or other accrued leave, when called into service of the State by the Governor.

# Occupational Boards and Licensing

See full summary documents for additional detail

## **H228 - Modernize Laws Pertaining to NC Medical Board. (SL 2019-191)**

S.L. 2019-191 modernizes the laws governing the North Carolina Medical Board (Board) and the practice of medicine including:

- Authorizing the Board to collect a background check fee from applicants and to remit that fee to the Department of Public Safety
- Creating an affirmative duty for licensees to report suspected sexual misconduct, fraudulent prescribing, drug diversion, or theft to the Board.
- Requiring 130 weeks of medical education for a physician license.
- Increasing civil penalties for practice outside the scope of various limited purpose licenses.
- Removing geographic limits on where the Board can meet (currently, Raleigh) and allow the Superior Court in the county where the Board is located to hear appeals of decisions not to issue a license and appeals of disciplinary action (currently, Wake County Superior Court)
- Clarifying the Board's disciplinary authority including authority over applicants and inactive licenses
- Authorizing reasonable fees for copying medical records based on the actual cost of copying.
- Creating a new criminal offense punishable as a Class C felony for sexual contact or penetration under pretext of medical treatment.
- Allowing death certificates to be completed by any physician, physician assistant, or nurse practitioner who took reasonable efforts to determine the patient's cause of death.
- Removing the Board's authority to set fees by regulation and maintain fees set by regulation as of June 1, 2019.

Technical changes to the composition of the Board's membership became effective October 31, 2019. The new criminal offenses became effective December 1, 2019, and applied to offenses committed on or after that date. The remainder of the act became effective October 1, 2019.

## **H554 - Funeral Practice Licensure Tech. Corrections. (SL 2019-207)**

S.L. 2019-207 makes a number of changes to the laws governing the licensure and practice of funeral services, including:

- Making changes to the licensure examination requirements.
- Establishing requirements for issuance of a provisional license by the Board of Funeral Service.
- Requiring that certificates of compliance for preneed funeral contracts be filed with the Board of Funeral Service.
- Requiring that crematory licensees comply with federal regulations for funeral industry practices and obtain necessary documentation before cremating an individual who died in another state.
- Requiring that all licensees comply with rules for the disposal of pacemakers and other hazardous devices.
- Providing that a medical professional who signs a death certificate is immune from civil liability so long as the cause of death is determined in good faith.



The portions of the act pertaining to preneed funeral compliance, cremations, and burial transportation became effective July 31, 2019. The remainder of the act became effective August 21, 2019.

### **H770 - Freedom to Work/Occupational Licensing Board Reform. (SL 2019-91)**

S.L. 2019-91 does the following:

- Requires administrative agencies, governmental officials, and courts in civil proceedings to consider Certificates of Relief favorably.
- Defines a "State agency licensing board."
- Clarifies standards for a licensing board's use of an applicant's criminal history in making determinations.
- Requires recognition by licensing boards of certain apprenticeship and training experiences.

This act became effective October 1, 2019, and applies to Certificates of Relief granted or applications for licensure submitted on or after that date.

### **S55 - Continuing Education for General Contractors. (SL 2019-72)**

S.L. 2019-72 establishes a continuing education requirement for general contractors of eight hours per year, effective for licenses renewed on or after January 1, 2020. Of the eight hours, two hours will be a mandatory course and six hours will be elective courses, all of which must be approved by the Board.

### **S88 - Electrician Requirements for Certain Orgs. (SL 2019-78)**

S.L. 2019-78 makes several clarifying changes to provide that electrical contractors employed by local boards of education, hospitals, and nonprofit organizations may make repairs and conduct maintenance at any building or facility owned or possessed by a local board of education when done at the direction of the local board of education, hospital, or nonprofit organization.

This act became effective June 27, 2019.

### **S311 - Massage Board Membership. (SL 2019-114)**

S.L. 2019-114 expands the current membership of the North Carolina Massage and Bodywork Therapy Board (the Board) to add a licensed operator of a massage and bodywork therapy establishment appointed by the Governor.

This act became effective July 11, 2019.

### **S462 - Modifications to NC Appraisal Board. (SL 2019-146)**

S.L. 2019-146 replaces education, experience, and examination requirements for registration, licensure, and certification of real estate appraisers with those required by The Appraisal Foundation Appraiser Qualifications Board.

Section 3 of this act allows the Board to collect fees from NC registered, and federally regulated, appraisal management companies to render them eligible to perform services in connection with federally related transactions. It also allows the Board to collect a fee from these companies to be placed on the AMC National Registry.

Section 6 of this act provides that a business eligible for a Job Maintenance and Capital Development Fund may have an agreement that provides that a grant paid out over the term of the agreement be in unequal annual payments and in amounts deviating from certain factors for annual payments, provided those factors are considered in the aggregate award to be paid over the entire term of the agreement.

Sections 1, 2, and 3 of this act became effective October 1, 2019, and apply to registrations, licensures, and certifications issued after that date. Section 6 of this act became effective July 22, 2019, and applies to agreements entered on or after that date. The remainder of this act became effective July 22, 2019.

### **S590 - Modify Continuing Ed for Real Estate Brokers. (SL 2019-195)**

S.L. 2019-195 modifies the continuing education requirements for real estate brokers to allow online classes and to reduce the time new licensees have to complete a post-licensing education program from 3 years to 18 months. These changes are effective July 1, 2020. It also allows the exemptions to licensure under 93A to apply to timeshare salespeople who are employees of the company which owns the development, effective when the act became law, August 9, 2019.

### **S604 - Amend NC Veterinary Practice Act. (SL 2019-170)**

S.L. 2019-170: (i) defines "impairment" for purposes of the Veterinary Medical Board (Board) and allows the Board to take disciplinary action against registrants for impairment, (ii) amends the extent to which a person may administer to an animal owned by the person, (iii) requires veterinary facility permits for any facility where veterinary medicine is practiced, (iv) allows a business entity to own a veterinary facility upon obtaining a veterinary facility permit, and (v) allows the Board to establish rules for the practice of veterinary telehealth.

The conforming changes and provisions of the act relating to unlicensed practice of veterinary medicine became effective 60 days after the date that the Board adopts pertinent rules. The remainder of the act became effective July 16, 2019.

# Property, Trusts, and Estates

See full summary documents for additional detail

## **H531 - Protecting Tenants at Foreclosure Act Restored. (SL 2019-53)**

S.L. 2019-53 repeals protections for tenants in foreclosed properties enacted after the 2014 sunset expiration of substantially similar protections under federal law. This act reflects the restoration by Congress in 2018 of the expired federal protections.

This act became effective October 1, 2019, and applies to petitions seeking an order for possession of property sold at foreclosure filed on or after that date.

## **S313 - Perf. Guar. to Streamline Afford. Housing. (SL 2019-79)**

S.L. 2019-79 makes various changes to State law concerning performance guarantees for the successful completion of required improvements.

This act became effective July 4, 2019, and applies to performance guarantees issued on or after that date.

## **S353 - Amend Cartway Path/Septic Tank Laws. (SL 2019-215)**

S.L. 2019-215 establishes a maximum width of 30 feet for cartways; amends certain septic tank setback distances for applications and development plans submitted on or before August 1, 2019; and extends the date for counties to impose special assessments on benefited property for certain infrastructure improvements that have not been approved under a final assessment resolution from July 1, 2020, to July 1, 2025.

This act has various effective dates. Please see the full summary for more detail.

## **S394 - Changes to Estates & Trusts Statutes. (SL 2019-113)**

Session Law 2019-113 makes various changes to State laws dealing with estates, trusts, and guardianships. For more detailed information about each of these changes, please see the full summary.

The act became effective July 11, 2019. For more detailed information about the applicability of each section of the act, please see the full summary.

## **S483 - Vacation Rental Act Changes. (SL 2019-73)**

S.L. 2019-73 provides that properties subject to the Vacation Rental Act are also subject to the statutes governing local government enforcement of hazardous and unlawful conditions.

This act became effective July 1, 2019.

**S532 - Amends Probate/Trusts/Wills Choice of Law. (SL 2019-178)**

**S594 - Register of Deeds Updates. (SL 2019-117)**

S.L. 2019-117 does the following:

- Clarifies standards and requirements for registration of certain records with the Register of Deeds.
- Makes changes to the prohibition on filing false liens.
- Provides suggested forms for the registration of assumed business names.
- Makes various conforming changes.

The section of the act pertaining to the filing of a false lien became effective December 1, 2019. The remainder of the act became effective October 1, 2019, and applies to instruments, certificates, and amended certificates submitted on or after that date.

# Retirement

See full summary documents for additional detail

## **H604 - Small Business Retirement Program. (SL 2019-205)**

S.L. 2019-205 creates a ten member Joint Legislative Study Committee on Small Business Retirement Options to study and report findings and recommendations by March 31, 2020, on ways to reduce burdens on small businesses offering payroll deduction retirement savings options, the feasibility of combining similar retirement programs, and mechanisms to encourage citizens to retire in a financially secure manner.

This act became effective August 27, 2019.

## **S399 - Rehire High-Need Teachers. (SL 2019-110)**

S.L. 2019-110, as amended by S.L. 2019-110, allows retired teachers to return to work in certain high-need schools without adversely impacting retired teachers' benefits.

This act became effective July 1, 2019, and will expire June 30, 2021.

# State Government

See full summary documents for additional detail

## **H99 - Transfer ALE/Move Boxing Advisory Commission.**

### **Part II: Move Boxing Advisory Commission and Give it Rule-making Authority. (SL 2019-203)**

Part II of S.L. 2019-203 transfers the Boxing Advisory Commission from the Department of Public Safety to the Department of Commerce; provides that the "Boxing Commission" exercises its powers independently of the Secretary of Commerce; directs the transfer of personnel and funds; and makes conforming changes.

Part II of this act became effective October 1, 2019. Please see the act for more detail.

## **H111 - 2019-2021 Base Budgets/Certain Agencies. (SL 2019-242)**

S.L. 2019-242 enacts a base budget for certain State agencies, departments, and institutions for the 2019-2021 fiscal biennium.

This act became effective July 1, 2019.

## **H200 - 2019 Storm Recovery/Var. Budget Corrections. (SL 2019-250)**

S.L. 2019-250 provides funds for (i) disaster relief from Hurricane Dorian (ii) resiliency measures against future storms, and (iii) the Rural Health Care Stabilization Fund. It also makes corrections to various budget-related bills and enacts certain budget provisions from House Bill 966, 2019 Regular Session.

Sections 3.6 and 3.7 became effective July 1, 2019. Section 3.8 became effective May 16, 2019. The remainder of the act became effective November 18, 2019.

## **H226 - Pay Increases/State Employees. (SL 2019-209)**

S.L. 2019-209 appropriates funds for the 2019-2021 fiscal biennium to award public employee benefits increases and legislatively mandated salary increases to state employees, and enacts certain budget provisions from House Bill 966, 2019 Regular Session.

This act has various effective dates. Please see the full act for more detail.

## **H243 - State Human Resources Act Amendments. (SL 2019-152)**

S.L. 2019-152 directs the Office of State Human Resources (OSHR) to provide consultative and technical services to assist State agencies in establishing and administering safety and health programs required by

law and monitor compliance with the State Employees Workplace Requirements Program for Safety, Health, and Workers' Compensation. It clarifies that officers and employees of the Consolidated Judicial Retirement System and the Legislative Retirement System are "eligible officers and employees" under the North Carolina Flexible Compensation Plan.

The act became effective July 22, 2019.

#### **H590 - Amend Administrative Procedure Laws. (SL 2019-140)**

S.L. 2019-140 makes the following changes to State administrative procedure laws:

- Provides that an agency may make certain technical changes to its rules without submitting the changes to the Rules Review Commission.
- Permits the Codifier of Rules to make certain technical changes to an agency's rules.
- Amends the process for the periodic review of rules so that all rules are classified as necessary or unnecessary. Rules classified as necessary are subject to readoption.

The amendments to the process for the periodic review of rules became effective July 19, 2019, and apply to agency rule reports submitted to the Office of Administrative Hearings on or after October 1, 2019. The remainder of the act became effective July 19, 2019.

#### **H629 - Law Enforcement Mutual Aid. (SL 2019-130)**

S.L. 2019-130 authorizes mutual aid agreements between North Carolina law enforcement agencies and out-of-state law enforcement agencies.

The act became effective July 19, 2019.

#### **H757 - Pender County/Butner Property Transfers. (SL 2019-137)**

S.L. 2019-137 requires the State of North Carolina to convey to the Pender County Board of Commissioners, for \$1.00, all its rights, titles, and interests in approximately 100 acres of land to be used as a jail and law enforcement center and to convey to the Town of Butner, for \$1.00, all its rights, titles, and interests in the former Umstead Correctional Center in Butner.

The act became effective July 19, 2019.

#### **H758 - MSD Expansion and Governance/DACS Study. (SL 2019-127)**

S.L. 2019-127 requires expansion of a metropolitan sewerage district in certain limited circumstances and upon the Environmental Management Commission finding that the inclusion of the new territory would not adversely affect customer service in the district and would preserve and promote the public health and welfare of the district; and directs the Department of Agriculture and Consumer Services to study wildlife enhancement, invasive species control, and native habitat restoration on properties managed by the State.

This act became effective July 19, 2019.

**H917 - Emergency Declaration/Clarify Rd Closure. (SL 2019-89)**

S.L. 2019-89 clarifies that a local declaration of emergency includes the authority to close roads and public vehicular areas to the public within the emergency area during the emergency.

This act became effective July 8, 2019.

**S77 - Ag Disaster Fund/Certain Counties. (SL 2019-3)**

S.L. 2019-3 provided an opportunity for farmers in a county that, between January 31, 2019, and February 15, 2019, was designated under a Presidential or Secretarial disaster declaration, to apply for recovery under the Hurricane Florence Agriculture Disaster Program of 2018.

This act became effective March 8, 2019, and expired on the date that the Department processed all applications validly received during the ten business day application period.

**S148 - Public Records/Release of LEO Recordings. (SL 2019-48)**

S.L. 2019-48 amends G.S. 132-1.4A to clarify a law enforcement agency's responsibility to disclose and release certain recordings.

This act became effective on June 26, 2019.

**S255 - State Board Construction Contract Claim. (SL 2019-39)**

S.L. 2019-39 imposes deadlines for issuance of a final written decision by the Director of the Office of State Construction, effective January 1, 2020, for both of the following:

- A contractor's verified written claim for amounts due under a completed building construction or repair contract with the State, a State board or commission, a State institution, or a State agency.
- A contractor's verified written claim for amounts due under a completed building construction or repair contract with a community college board of trustees.

**S355 - Land-Use Regulatory Changes. (SL 2019-111)**

Part I of S.L. 2019-111 makes various changes to the land-use regulatory laws of the State, and became effective on July 11, 2019.



Part II of S.L. 2019-111 reorganizes and consolidates existing statutes governing local government regulation of land planning and development into a new Chapter 160D of the General Statutes. Part II also makes various changes to these laws. Part II of this act also clarifies and restates the intent of existing law.

Part II becomes effective January 1, 2021, and applies to local government development regulation decisions made on or after that date. Insofar as Part II clarifies and restates the intent of existing law, it applies to ordinances adopted before, on, and after that date.

This act has various effective dates. Please see the full summary for more detail.

### **S381 - Reconstitute/Clarify Boards and Commissions. (SL 2019-32)**

S.L. 2019-32 reconstitutes several boards and commissions that were held to have unconstitutionally appointed memberships, makes corrections to remedy those deficiencies, and makes other clarifying changes.

This act became effective July 1, 2019. All rules, regulations, and decisions made by the predecessor boards and authorities reconstituted in this act must remain in full force and effect until and unless duly modified by the successor entities.

### **S478 - Modify Appointment Reporting/Industrial Commission Terms. (SL 2019-167)**

S.L. 2019-167 modifies the reporting requirement for gender-proportionate appointments to certain boards and commissions and modifies the appointment process for, and term of office of, the chairman and vice-chairman of the North Carolina Industrial Commission (NCIC).

This act became effective July 26, 2019.

### **S574 - Study Establish Gaming Comm/Sports Betting. (SL 2019-217)**

S.L. 2019-27 authorizes the North Carolina State Lottery Commission (Commission) to study gaming including authorizing and regulating sports betting, on-site betting at horse steeplechases, and the creation of a commission to provide oversight of gaming. The Commission must contract with an independent third party to conduct research for the study and report findings, recommendations, and any legislation to the Joint Legislative Oversight Committee on the State Lottery on or before April 15, 2020.

This act became effective September 4, 2019.

### **S605 - Highway Storm Recovery Act. (SL 2019-15)**

S.L. 2019-15 transfers funds to the Department of Transportation to be used as a loan for cash flow needs as a result of disaster recovery.

This act became effective May 16, 2019.

# Transportation

See full summary documents for additional detail

## **H67 - Road Barrier Prohibition. (SL 2019-84)**

S.L. 2019-84 expands a prohibition on driving around, moving, or damaging roadway barriers erected by the North Carolina Department of Transportation (DOT) for construction work to include closures due to dangerous conditions.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

## **H82 - Railroad Crossings/On-Track Equipment. (SL 2019-36)**

S.L. 2019-36 clarifies that statutory rail crossing requirements and restrictions that apply when a railroad train is approaching also apply when on-track equipment is approaching.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

## **H100 - DOT Budget for 2019-2021 Biennium. (SL 2019-231)**

S.L. 2019-231 enacts a budget with adjustments consistent with House Bill 966 for the Department of Transportation.

Except as otherwise provided, this act became effective July 1, 2019. Please see S.L. 2019-231 for all applicable effective dates.

## **H131 - Repeal Map Act. (SL 2019-35)**

S.L. 2019-35 repeals the Transportation Corridor Official Map Act, which authorized the North Carolina Department of Transportation, local governments, and other authorities to adopt maps for future transportation projects and placed restrictions on properties within mapped corridors.

This act became effective June 21, 2019.

## **H179 - Mini-Truck Classification. (SL 2019-34)**

S.L. 2019-34 makes various changes to the motor vehicle laws of this State to create a definition for mini-trucks, sets the registration fee, and allows for the operation of mini-trucks on roadways with certain restrictions.

This act became effective June 21, 2019.

## **H206 - Various Transportation Changes. (SL 2019-199)**

S.L. 2019-199 amends various transportation laws of this State as follows:

- Reenacts, and removes an expiration date for, a provision first enacted in 2009 authorizing the Department of Transportation to participate in private developer contracts for engineering, design, or construction of improvements in limited circumstances.
- Clarifies various provisions within current law that proceeds from the disposition of real property, facilities, and products owned by the Department of Transportation are to be credited to the State Highway Fund.
- Amends the Neuse River Basin Riparian Buffer Rule.
- Authorizes the Department of Transportation to enter into airspace encroachment agreements with FirstHealth of the Carolinas, Pinehurst related to State Road 1208, Page Road.
- Enacts a new Airport Improvement Program to provide for allocation of funds to airports.
- Authorizes the Department of Transportation to enter into Public Private Partnership (P3) agreements with private entities related to Department-owned communications infrastructure within interstate right-of-way.
- Requires the State agency for State surplus property to develop a pilot program to conduct public auctions for Department of Transportation surplus property without requiring the Department to move property to centralized auction locations.
- Authorizes the Division of Motor Vehicles to waive license restoration fees under certain circumstances when a licensee has been issued a subsequent license.
- Clarifies that parking spaces for handicapped persons include clearly marked access aisles, and all statutory provisions, restrictions, and penalties applicable to spaces also apply to those aisles.
- Authorizes airport operators to charge fees and regulate peer-to-peer vehicle sharing providers.
- Authorizes the Department of Transportation to sell listed parcels of property without being subject to certain statutory requirements.

This act became effective August 21, 2019, except for the Airport Improvement Program provision, which became effective July 1, 2019, and the license restoration fee waiver and peer-to-peer vehicle sharing provisions, which became effective October 1, 2019.

## **H211 - Various Division of Motor Vehicles Changes. (SL 2019-227)**

S.L. 2019-227 makes the following changes to laws relating to motor vehicles:

- Amends the definitions of fuel cell and plug-in electric vehicles to clarify that they cannot have the ability to be propelled by a gasoline engine.
- Eliminates the requirement for a signature space on a registration card.
- Authorizes remote conversion of a provisional license to a regular drivers license.
- Requires the Division of Motor Vehicles to waive lapse in financial responsibility penalties under certain circumstances when a person has moved to another state.
- Provides for reflectivity standards for registration plates and requires replacement of plates every seven years.
- Amends the helmet requirement exception for autocycles.
- Provides for a study of the feasibility of digital license plates.

This act became effective September 27, 2019, except for the autocycle helmet provision, which became effective October 1, 2019, and the license plate reflectivity and replacement provisions, which become effective July 1, 2020. See full summary for specific dates related to phasing in plate replacement.

### **H337 - Change Salvage Vehicle Transfer Requirements. (SL 2019-153)**

S.L. 2019-153 makes various changes to the motor vehicle titling laws of this State relating to salvage certificates of title.

This act became effective October 1, 2019.

### **H391 - Passenger Protection Act. (SL 2019-194)**

S.L. 2019-194:

- Amends Transportation Network Company (TNC) safety requirements.
- Creates an infraction for a TNC driver's failure to display their license plate number as required.
- Creates a misdemeanor criminal offense for impersonating a TNC driver.
- Raises the punishment for assaulting a TNC driver while providing a TNC service from a Class 2 misdemeanor to a Class A1 misdemeanor.

This act has various effective dates. Please see full summary.

### **H449 - Handicapped & Special Registration Plates. (SL 2019-213)**

S.L. 2019-213 authorizes the Division of Motor Vehicles to issue a handicapped license plate to a vehicle owner who is the parent or legal guardian of a handicapped person. It also authorizes the Division to produce the following four new special registration plates: "ALS Research", "Keeping The Lights On", "Wrightsville Beach", and "POW/MIA Bring Them Home".

This act becomes effective March 1, 2020.

### **H546 - Prohibit Counterfeit/Nonfunctional Airbags. (SL 2019-155)**

S.L. 2019-155 creates new definitions regarding airbags and motor vehicle supplemental restraint systems. Section 2 of the act makes it an unfair and deceptive trade practice to knowingly transfer a vehicle with a faulty airbag or restraint system. Section 3 of the act makes it unlawful to knowingly import, manufacture, sell, offer for sale, or distribute a motor vehicle with a faulty airbag or restraint system, and makes it a Class H felony if physical injury or death results from these actions.

This act became effective October 1, 2019, and applies to offenses committed on or after that date.

## **H620 - Street Database/Manual/Public Record Except. (SL 2019-156)**

S.L. 2019-156:

- Requires the North Carolina Department of Transportation (DOT) to compile a readily available Public Street Information Database.
- Requires the DOT to update its Subdivision Roads Minimum Construction Standards Manual.
- Amends the public records law to designate proprietary design work, work product, and certain intra-agency communications as confidential during a DOT competitive bid process.

This act became effective July 22, 2019.

## **S29 - Move Over Law/Increase Penalties/Amber Lights. (SL 2019-157)**

S.L. 2019-157 amends G.S. 20-157 to increase the penalty for those who cause serious injury or death for violating the State's Move Over Law and makes it unlawful for any vehicle to use a flashing or strobing amber-colored light unless certain conditions apply.

This act became effective December 1, 2019, and applies to offenses committed on or after that date.

## **S68 - Relocation of Water/Sewer Line Costs. (SL 2019-197)**

S.L. 2019-197 amends the law that requires the North Carolina Department of Transportation (DOT) to pay a percentage of nonbetterment costs for certain water and sewer line relocations when located within the right-of-way (ROW) of State transportation improvement projects.

This act became effective August 14, 2019.

## **S321 - Federal Motor Carrier Safety/PRISM. (SL 2019-196)**

S.L. 2019-196 makes various changes to the motor vehicle laws of this State to incorporate requirements of the Federal Motor Carrier Safety Administration's (FMCSA) Performance and Registration Information Systems Management (PRISM) Program.

This act became effective November 12, 2019.

## **S356 - DOT Cash and Accountability. (SL 2019-251)**

S.L. 2019-251 implements budget stabilization and financial transparency measures for the Department of Transportation (DOT).

Except as otherwise provided, this act became effective November 18, 2019.

### **S384 - Clarify Motor Vehicle Dealer Laws. (SL 2019-125)**

S.L. 2019-125 makes the following changes to North Carolina's Motor Vehicle Dealers and Manufacturers Licensing Law:

- Defines special or essential tool and allows small dealers to enter into tool loaner agreements with other line-make dealers rather than purchasing them.
- Allows a dealer to request elimination of portions of the dealer's area of responsibility.
- Prohibits a manufacturer from using unfair performance data to decide proposed dealership ownership transfers or the appointment of successors.
- Makes it unlawful for a manufacturer to prohibit a dealer from selling parts or accessories online.
- Limits frequency of audits for warranty or recall parts, incentive compensation, or for sales or leases made to known exporters, unless for cause, and prohibits a manufacturer from employing an auditor whose compensation is based on the number of chargebacks resulting from the audit.
- Makes changes to strengthen existing law protecting dealership data.
- Makes changes to existing law giving dealer associations standing to bring an action for injury to the collective interest of its members, including by clarifying and expanding the circumstances under which an association may intervene or bring an action.
- Increases the amount of reimbursement paid to truck dealers by manufacturers when they sell trucks directly to nondealer retailers from \$900 to \$1500 per vehicle.
- Makes clarifying changes to the unfair methods of competition statute and amends the exceptions to the prohibition to allow up to six licensed dealerships in the State operated by a manufacturer of electric vehicles under specified conditions.
- Requires dealer license applicants to certify whether they are manufacturers and, if so, under which exception to the unfair methods of competition prohibition they claim to qualify for a license, and requires published notice of a license application by a manufacturer who has not been previously licensed.

This act became effective July 19, 2019, except for the provision pertaining to dealership data, which becomes effective October 1, 2020.

### **S385 - Clarify/Auto Dealers Regulatory Requirements. (SL 2019-181)**

S.L. 2019-181 makes the following changes to statutes related to motor vehicle dealers:

- Allows an applicant for a sales representative license to engage in activities as a sales representative while the application is pending if certain conditions are met.
- Provides that a dealer is not liable for inaccuracies in third party vehicle history reports given to customers if the information was not provided to the preparer by the dealer.
- Allows a dealer to pay up to \$250 in consideration for a customer referral.
- Provides that a dealer is not in violation of military anti-discrimination law for not offering military members certain credit-related products that are offered to other customers.
- Makes clarifying changes to title in transit provisions previously enacted.

This act became effective July 26, 2019.

**S606 - Prioritize Native NC Plants on Highway ROW. (SL 2019-148)**

S.L. 2019-148 amends the Department of Transportation's authority to plant trees and other vegetation in the highway right-of-way by directing the Department to select acceptable plants with a strong preference for those that are native to North Carolina.

The act became effective July 22, 2019.



# Utilities

**See full summary documents for additional detail**

## **H329 - Renewable Energy Amends. (SL 2019-132)**

S.L. 2019-132 does all of the following:

- Adds a definition for "plug-in electric vehicle" to the Public Utilities Chapter of the General Statutes.
- Directs the Environmental Management Commission (EMC) to adopt rules to establish a regulatory program to govern: the management of end-of-life photovoltaic (PV) modules and energy storage system batteries, including requirements for stewardship programs for the recycling of such equipment; and decommissioning of utility-scale solar projects and wind energy facilities. The Department of Environmental Quality (DEQ) is also directed to establish a stakeholder process to support development of the rules.
- Extends certain treatment given to small power producers that produce energy from swine and poultry waste to certain small hydroelectric power facilities, with respect to an exemption concerning capacity payments to small power producers under standard contracts.

This act became effective July 19, 2019.

## **H387 - Growing G.R.E.A.T. (SL 2019-230)**

S.L. 2019-230 makes various changes to the Growing Rural Economies with Access to Technology (GREAT) program that provides grants for expansion of broadband access in rural areas of the State.

This act has various effective dates. Please see the full summary for more detail.

## **H432 - Water/Sewer to Contiguous Dwelling Units. (SL 2019-56)**

S.L. 2019-56 provides that if the Utilities Commission (Commission) approves a flat rate to be charged by a water or sewer utility for the provision of water or sewer services to contiguous dwelling units of leased premises, the lessor may pass through and charge the tenants of the contiguous dwelling units the same flat rate for water or sewer services, rather than a rate based on metered consumption.

This act became effective June 26, 2019.

## **H529 - Utilities/Water and Wastewater Consumption. (SL 2019-88)**

S.L. 2019-88 authorizes the Utilities Commission (Commission) to adopt, implement, modify, or eliminate a rate adjustment mechanism for regulated water and wastewater utilities to reflect changes in customer usage in a general rate case; directs the Commission for Public Health (CPH) to adopt rules concerning the construction and operation of artificial swimming lagoons; and directs CPH to study whether the requirement that all swimming pools have a telephone capable of dialing 911 is necessary.

This act became effective July 8, 2019.

### **H872 - Underground Utility Safety Act/Changes. (SL 2019-189)**

S.L. 2019-189 makes various changes to the Underground Utility Safety and Damage Prevention Act (Act), including authorizing the Underground Damage Prevention Review Board (Board) to approve training courses and to impose a fee on operators to fund the activities of the Board.

This act became effective October 1, 2019.

### **S310 - Electric Co-Op Rural Broadband Services. (SL 2019-17)**

S.L. 2019-17 does all of the following:

- Eliminates certain restrictions on the formation and operation of separate business entities (subsidiaries) by Electric Membership Corporations (EMCs) that provide or support high speed broadband services.
- Provides that the terms of any easement held or otherwise used by an EMC for the provision of electrification may be expanded to allow use by the EMC, or a subsidiary of the EMC even if not a party to the underlying easement, for the purpose of supplying high-speed broadband service, even if not a stated purpose in the underlying easement.
- Prohibits class action suits against an EMC or a wholly-owned subsidiary of the EMC in litigation claiming trespass or inverse condemnation based on a claim of the expanded use of an easement.
- Establishes a measure of damages to be paid to a landowner, if, in a lawsuit in trespass or inverse condemnation based on a claim of expanded use of an easement, the landowner prevails over an EMC or a wholly-owned subsidiary of the EMC. Among other limitations, the damages may not exceed the difference between the fair market value of the property owner's entire property immediately before the taking and the fair market value of the property owner's property immediately after the taking. Upon payment of damages, the EMC or a wholly-owned subsidiary of the EMC are granted a permanent easement for the trespass that was the subject of the lawsuit.

This act became effective May 30, 2019, and applies to any claims filed on or after that date.

### **S559 - Storm Securitization. (SL 2019-244)**

S.L. 2019-244 permits electric public utility companies to use bond financing for certain storm recovery costs. This financing mechanism would not create any indebtedness for the State or any of its political subdivisions.

This act became effective November 6, 2019.

**S691 - Emergency Operating Funds for Utilities. (SL 2019-226)**

S.L. 2019-226 permits funds from the Wastewater Reserve and the Drinking Water Reserve to be used during the 2019-2020 fiscal year to provide grants to the Local Government Commission to fund operating deficits of a public water or wastewater system when (1) the system has been taken over by the Local Government Commission or (2) the charter of the local government or public authority owning the system has been revoked by a local act of the General Assembly.

This act became effective October 1, 2019.

# Vetoed Legislation

See full summary documents for additional detail

## **H231 - UNC & Comm. Coll. Pay/Retiree Bonus. (Ratified)**

House Bill 231 would appropriate funds to provide salary increases to employees of The University of North Carolina System and the North Carolina Community College System and to provide two one-time cost-of-living supplements for retirees of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, and the Legislative Retirement System. The content of the bill was consistent with House Bill 966 of the 2019 Regular Session which was vetoed.

This bill was vetoed by the Governor on November 1, 2019, has not been overridden by the General Assembly, and has not become law.

## **H370 - Require Cooperation with ICE Detainers. (Ratified)**

House Bill 370 would (1) require confinement facilities to comply with detainers and administrative warrants issued by Immigration and Customs Enforcement (ICE); (2) authorize the removal of a sheriff or officer from office for failing to comply with ICE detainers, and (3) require confinement facilities to submit annual reports to the Joint Legislative Oversight Committee on Justice and Public Safety (JPS Oversight) regarding compliance with ICE detainers.

House Bill 370 was ratified by the General Assembly on August 20, 2019, and vetoed by the Governor on August 21, 2019.

## **H398 - Information Technology Budget/2019-2021 Fiscal Biennium. (Ratified)**

House Bill 398 would do the following: (i) provide appropriations adjustments to the Department of Information Technology for the 2019-2021 fiscal biennium; (ii) direct specific uses for certain General Fund appropriations to the Department; (iii) make various statutory changes relating to the Department; and (iv) fund specific information technology projects with General Fund appropriations.

This bill was vetoed by the Governor on November 8, 2019, has not been overridden by the General Assembly, and has not become law.

## **H555 - Medicaid Transformation Implementation. (Ratified)**

House Bill 555 provides funding for the operation of the Medicaid program and the transition to managed care during the 2019-2021 fiscal biennium and makes other changes necessary for the transition of the Medicaid program to managed care as required by Medicaid Transformation legislation that was enacted in 2015.

This bill has various effective dates. Please see the full summary for more detail.

This bill was vetoed by the Governor on August 30, 2019, has not been overridden by the General Assembly, and has not become law.

### **H645 - Revisions to Outdoor Advertising Laws. (Ratified)**

House Bill 645, vetoed by the Governor on August 22, 2019, would amend the laws pertaining to outdoor advertising, to do all of the following:

- Allow for relocation and reconstruction of outdoor advertising signs, with specified criteria to be met.
- Prohibit the North Carolina Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility.
- Reduce the waiting period for a permitted outdoor advertising location to receive a selective vegetation removal permit from two years to one year, and exempt relocated signs from that waiting period.

If the bill were to become law, Section 4, pertaining to the relocation of lawfully existing outdoor advertising signs, would apply to signs removed on or after July 1, 2019. Section 7, prohibiting the Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility, would be apply to outdoor advertising signs relocated on or after the date the bill becomes law. The remainder of the bill would become effective when it becomes law.

### **H966 - 2019 Appropriations Act. (Ratified)**

House Bill 966 would make base budget appropriations for current operations of state agencies, departments, and institutions. This bill has various effective dates. Please see the full bill for more detail.

This bill was ratified by the General Assembly on June 27, 2019 and vetoed by the Governor on June 28, 2019. The veto has not been overridden by the General Assembly, therefore this bill has not become law.

### **S250 - Remove Foreign Citizens from Voting Rolls. (Ratified)**

Senate Bill 250 would do the following:

- Codify the case law requirement that jurors be United States citizens.
- Allow a chief district court judge to delegate hearing jury excuses to the clerk of court.
- Require applications for excusals from jury duty be made on a form developed by the Administrative Office of the Courts.
- Require clerks to maintain records of persons asking to be excused from jury duty due to disqualification, and share those records with the State Board of Elections (State Board) if the disqualification is due to citizenship for use in voter list maintenance efforts.
- Create a process for voter list maintenance removal of non-citizens reported as disqualified from jury duty.

Senate Bill 250 was ratified by the General Assembly on October 31, 2019, and vetoed by the Governor on November 6, 2019.

### **S320 - Regional Water Systems and State Grants. (Ratified)**

Senate Bill 320 would amend requirements governing disbursement of water/wastewater infrastructure grants or loans to recipients engaged in regionalization to, in certain circumstances, require a written agreement between a recipient and local government units purchasing treated or untreated water from the recipient, stating the current rates of purchase and any anticipated increases over the term of the agreement, or a resolution approved by the governing board of the purchasing local government unit stating that it waives its option to establish such a written agreement. The bill also establishes a process for the Local Government Commission (LGC) to assist in resolving any disputes between local government units prior to execution of a written agreement. If the parties fail to reach an agreement, the bill would prohibit the Department of Environmental Quality (DEQ) from disbursing any loan or grant to either local government unit until the dispute is resolved to the satisfaction of the LGC.

Senate Bill 320 was vetoed by the Governor on August 2, 2019, has not been overridden by the General Assembly, and, therefore, has not become law.

### **S354 - Strengthening Educators' Pay Act. (Ratified)**

Senate Bill 354 would provide (i) legislatively mandated compensation increases for certain public school employees, consistent with House Bill 966 of the 2019 Regular Session, and (ii) contingent on House Bill 966 becoming law, additional legislatively mandated compensation increases for certain educational employees and increased funding for tuition grants for graduates of the North Carolina School of Science and Mathematics.

SB 354 was ratified by the General Assembly on October 31, 2019, and vetoed by the Governor on November 8, 2019.

### **S359 - Born-Alive Abortion Survivors Protection Act. (Ratified)**

As ratified, Senate Bill 359 would place additional explicit requirements on health care practitioners; create two new Class D felonies; and amend civil law, related to a failure to provide care to a child born as a result of an unsuccessful abortion.

Senate Bill 359 was ratified by the General Assembly on April 16, 2019, and vetoed by the Governor on April 18, 2019.

### **S392 - Various Charter School Changes. (Ratified)**

Senate Bill 392 would make various changes to laws related to charter schools and would do the following:

- Authorize the Superintendent of Public Instruction to approve issuance of private activity bonds for charter school facilities after a public hearing.
- Clarify charter school renewal standards.
- Require background checks for charter school boards of directors.

- Remove the cap on enrollment growth of virtual charter schools participating in the virtual charter school pilot program.
- Authorize the State Board to allow a participating virtual charter school to increase enrollment by greater than 20%.
- For a participating virtual charter school that has been placed under monthly compliance monitoring as a result of a material change to its charter, require State Board approval before the school can have any enrollment increase.

SB 392 was ratified by the General Assembly on July 18, 2019, and vetoed by the Governor on July 29, 2019.

### **S438 - Excellent Public Schools Act of 2019. (Ratified)**

SB 438 would make various changes to the North Carolina Read to Achieve Program, including the following:

- Establish individual reading plans, effective with the 2020-2021 school year.
- Establish a Digital Children's Reading Initiative, effective with the 2020-2021 school year.
- Establish a Comprehensive Plan to Improve Literacy Instruction (Comprehensive Plan).
- Effective July 1, 2020, require the North Carolina Center for the Advancement of Teaching (NCCAT) to prioritize and provide aligned professional development in early learning and literacy instruction.
- Effective July 1, 2020, for approval or renewals of programs, require educator preparation programs to provide literacy training in programs for elementary education teachers.
- Require the literacy curriculum and instruction provided by local school administrative units to align with Read to Achieve and the Comprehensive Plan for implementation in the 2022-2023 school year.
- Effective for the 2020-2021 school year, require approval of plans for local reading camps.
- Study phasing out some alternative assessments for third grade reading.
- Beginning with the 2019-2020 school year, create a uniform reporting structure for Read to Achieve data.
- Provide for continuing education credits related to literacy for certain reading camp instructors and allow certain retired teachers to serve as reading camp instructors.
- Effective July 1, 2019, expand the Wolfpack WORKS program.

SB 438 was ratified by the General Assembly on August 13, 2019, and vetoed by the Governor on August 23, 2019.

### **S553 - Regulatory Reform Act of 2019. (Ratified)**

Senate Bill 553 would amend several State laws as follows:

- Raise the dollar threshold for contracts exempted from the conflict-of-interest prohibition for public employees benefitting from public contracts from \$40,000 to \$60,000 for goods and services that are not medically related.
- Direct the Building Code Council to amend the Building Code and Plumbing Code for certain regulations concerning drinking fountains and water closets.

- Direct the Building Code Council to amend the Fire Prevention Code to allow certain doorstep garbage and recycling containers.
- Require all occupational licensing boards with continuing education requirements to study and report on any available options for online continuing education.
- Exempt Onslow and Rockingham Counties from the list of counties required to conduct vehicle emissions testing.
- Create a process for counties to permit temporary event venues in certain situations.
- Require NC Pre-K operators to provide parents with information pertaining to public and private school choices in their county or any other county.
- Clarify landfill life-of-site franchise requirements.
- Repurpose pre-regulatory landfill funds.
- Direct the Department of Environmental Quality to study and report on express permitting expansion for certain programs.
- Extend the deadline for Coastal Area Management Act Emergency General Permits authorized in response to Hurricanes Florence and Michael to October 12, 2019, with all work to be completed by October 12, 2020.
- Provide additional criteria for determining priority for grants from the Wastewater Reserve or the Drinking Water Reserve.
- Amend the septic tank site suitability determination process.
- Establish a process to identify and assess distressed public water and wastewater systems and create a Viable Utility Fund within the Department of Environmental Quality to be used to assist distressed systems to become self-sustaining.
- Expand the architectural license exemption for small commercial projects.
- Direct the Department of Revenue to provide information to the Revenue Laws Study Committee concerning the property taxation of outdoor signs.
- Require that electric membership cooperatives and their subsidiaries comply with applicable notice, safety, and permitting requirements when constructing or maintaining broadband lines.
- Authorize cities to require that manufactured homes be installed in accordance with certain standards, but prohibit cities from requiring masonry curtain walls or skirting being installed on manufactured homes on land leased to the homeowner.
- Authorize the Division of Motor Vehicles to issue a limited registration plate to a vehicle owner in certain situations.
- Require that the State Board of Elections certify voting systems only if a performance bond or letter of credit has been posted.
- Allow a dealer to sell, without a safety inspection, a salvage-titled vehicle in certain circumstances.
- Direct the Division of Motor Vehicles to study whether the laws governing salvage vehicles should be revised to protect consumers from unsafe vehicles.
- Allow the sale of alcoholic beverages at certain stadiums.
- Direct the Division of Emergency Management within the Department of Public Safety to study the needs of law enforcement and first responders to improve access to the interstate system.
- Make technical changes to the statutes governing the North Carolina Board of Architecture and the criteria necessary to sit for the architecture licensure exam.
- Add aquaculture to the uses that may be made of flood hazard areas without a permit.
- Clarify that proof of mailing is sufficient proof of notice for certain insurance policy or renewal cancellations by the insurer.
- Allow the Department of Agriculture and Consumer Services to use funds appropriated to it to provide a non-federal match for any project that has been or will be approved for funding by the USDA Emergency Watershed Protection Act.

This bill was vetoed by the Governor on September 20, 2019, has not been overridden by the General Assembly, and, therefore, has not become law.



## **S578 - Reduce Franchise Tax/Expand Film Grants. (Ratified)**

Senate Bill 578 would do the following:

- Reduce the franchise tax rate from \$1.50 to \$0.96 over a two-year span and remove one method of calculating a corporation's franchise tax base, beginning with the 2021 taxable year.
- Reduce the qualifying expense thresholds for awards from the Film and Entertainment Grant Fund (Fund) and increase from \$12 million to \$15 million the maximum grant amount for a single season of a television series.

This bill was vetoed by the Governor on November 8, 2019, has not been overridden by the General Assembly, and, therefore, has not become law.

