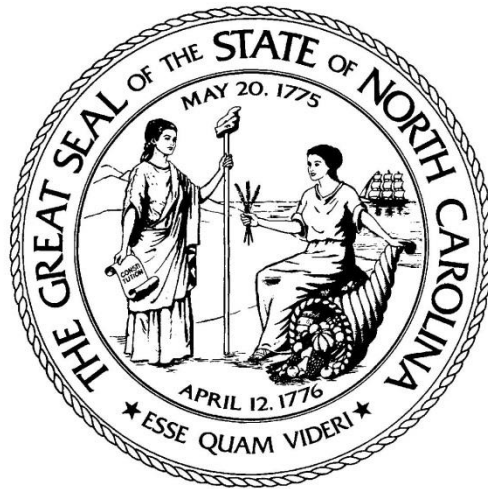


SUMMARIES OF SUBSTANTIVE RATIFIED LEGISLATION

2022 SESSION



LEGISLATIVE ANALYSIS DIVISION
N.C. GENERAL ASSEMBLY

2022 Summaries of Substantive Ratified Legislation

Agriculture and Wildlife

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 15.1: Chronic Wasting Disease Report. (SL 2022-74)

Section 15.1 of S.L. 2022-74 directs the Wildlife Resources Commission (WRC) to report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division no later than September 15th of each year in which WRC receives State funds to combat, monitor, or contain an outbreak of Chronic Wasting Disease (CWD).

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 15.3: Hunting/Fishing/Boating Contract License Vendors. (SL 2022-74)

Section 15.3 of S.L. 2022-74 does the following:

- Authorizes the Wildlife Resources Commission (WRC) to contract with a licensing system vendor to build and maintain an enterprise system to support the business functions of the WRC, including the processing of license and vessel transactions.
- Authorizes contracted licensing system vendors to charge the following transaction fees, in addition to any surcharges charged by vessel agents or the WRC, for the processing of vessel transactions:
 - \$3 per transaction for online purchases or other electronic transactions.
 - \$1 per transaction for purchases made through a vessel agent or directly through the WRC.
 - \$5 per transaction for purchases made through the contracted licensing system vendor's call center.
- Increases the transaction fee that license agents and the WRC are authorized to charge for licenses, applications, and permits, from \$2 per transaction to \$4 per transaction.
- Authorizes contracted licensing system vendors to charge the following transaction fees—in addition to any surcharges charged by licensing agents or the WRC—for licenses, permits, applications, and merchandise sold:
 - \$3 per transaction for online purchases or other electronic transactions.
 - \$1 per transaction for purchases made through a license agent or directly through the WRC.
 - \$5 per transaction for purchases made through the contracted licensing system vendor's call center.

This section becomes effective July 1, 2023.

S339 - 2022 WRC Amendments. (SL 2022-65)

S.L. 2022-65 does all of the following:

- Increases penalties for violations of Wildlife Resources Commission (WRC) emergency powers or rules exercised to respond to a wildlife disease.
- Reduces fees for a fur dealer license and amend the definition of "dealing in furs."
- Includes public mountain trout waters in the Resident Subsistence Unified Inland/Coastal Recreational Fishing License Waiver.
- Defines the phrase "domestically raised waterfowl and game birds" to mean propagated mallard ducks, bobwhite quail, ringed neck pheasants, chukar partridges, and Hungarian partridges.

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

S388 - Qualifying Farmer Zoo Sales Tax Exemption. (SL 2022-45)

S.L. 2022-45 does the following three things:

- Allows qualifying farmers that also have zoo operations to purchase items for the zoo under their qualifying farmer sales tax exemption certificate, effective for items purchased on or after January 1, 2023. (Part I)
- Creates a new sales tax exemption for certain items purchased by a wildlife manager for wildlife management activities, effective for items purchased on or after October 1, 2022. (Part II)
- Modifies and expands the property tax classification for wildlife conservation land, effective for taxes imposed for taxable years beginning on or after July 1, 2022. Property classified as wildlife conservation land is assessed and taxed at a value lower than its fair market value. (Part III)

Except as otherwise provided, this act became effective July 7, 2022.

S455 - Conform Hemp with Federal Law. (SL 2022-32)

S.L. 2022-32, as amended by S.L. 2022-73, permanently excludes hemp and hemp products from the North Carolina Controlled Substances Act, as well as tetrahydrocannabinols (THC) found in products with a delta-9 THC concentration of not more than 0.3%.

This act became effective June 30, 2022.

S651 - Amend Veterinary Practice Act/DACS Budget. (SL 2022-67)

S.L. 2022-67 does all the following:

- Defines "staff" and eliminates the phrase "veterinary employee" from the veterinary statutes.
- Defines "veterinary consulting" and clarifies that it does not constitute the practice of veterinary medicine.
- Increases the dollar cap on fee increases for veterinary practice facility inspection, veterinary facility inspection, and sets a dollar fee cap on veterinary facility permit issuance.
- Expands the eligibility for "veterinary student interns" to include currently enrolled students who have satisfactorily completed the second year of an accredited veterinary college.
- Eliminates the position of "veterinary student preceptees" from the veterinary statutes.
- Makes technical and conforming changes to the North Carolina Veterinary Practice Act.

- Allows the Department of Agriculture and Consumer Services (DACS) to use funds allocated to it to repair the restaurant facility at the Piedmont Triad Farmers Market.
- Makes a technical change to a DACS budget provision.

This act becomes effective October 1, 2022, except that the DACS-related provisions became effective July 1, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 1: Clarify the Applicability of the Farm Building Exception to the Building Code. (SL 2022-55)

Section 1 of S.L. 2022-55 provides that a building used primarily for storage of agricultural commodities or products, or storage and use of materials for agricultural purposes, is considered a farm building for purposes of the North Carolina Building Code, regardless of whether the building is located on the same property where the agricultural commodities or products were produced. The building must be surrounded by at least 60 feet of open space and be placarded as "Ag Exempt."

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 2: Agricultural Use Clarification. (SL 2022-55)

Section 2 of S.L. 2022-55 clarifies that for purposes of county zoning, a building or structure that is used solely for the storage of cotton, peanuts, or sweetpotatoes, or any of the byproducts of those commodities, is a bona fide farm purpose.

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 3: Study Fair Repair Requirements for Manufacturers of Farm Equipment. (SL 2022-55)

Section 3 of S.L. 2022-55 directs the Agriculture and Forestry Awareness Study Commission to study whether to establish a "right to repair" for electronic farm equipment.

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 4: Preserve Conservation Easements After Property Tax Foreclosures. (SL 2022-55)

Section 4 of S.L. 2022-55 provides that conservation agreements survive real property tax foreclosure sales.

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 5: Farmed Cervid Assessment Clarification. (SL 2022-55)

Section 5 of S.L. 2022-55 specifies that farmed cervid feed means commercial feed sold to a cervid farmer for farmed cervid use, rather than commercial feed labeled or marketed for farmed cervid use.

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 6: Specify That Commercial Production or Growing of Animals for Purposes of Present Use Value Taxation Includes Boarding Horses. (SL 2022-55)

Section 6 of S.L. 2022-55 provides that boarding horses qualifies as the commercial production or growing of animals for purposes of the present use value property tax program.

This section became effective for taxes imposed for taxable years beginning on or after July 1, 2022.

Alcoholic Beverage Control

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 19A.5: Expand Qualifications for ABC Permitting of Recreation Districts. (SL 2022-74)

Section 19A.5 of S.L. 2022-74 allows the ABC Commission to issue permits for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages to qualified businesses in an area that is located in a county that has not approved the issuance of mixed beverages permits; has at least two cities that have approved the sale of malt beverages, wine, and the operation of an ABC store; and contains a facility of at least 90 acres where five or more motorsports-related events are held each year. The permits can only be issued to a facility where five or more motorsports-related events are held, or a qualified business contracting with or located at a facility where five or more motorsports-related events are held, and the sale and consumption of alcoholic beverages must only occur during a motorsports-related event held at the facility.

This section became effective July 11, 2022.

H211 - Social District/Common Area Clarifications. (SL 2022-49)

S.L. 2022-49 recodifies and revises the statutes related to common area entertainment permits and social districts to make them more uniform and clarifies (i) the areas that can be included under a common area entertainment permit or a social district and (ii) the activities that may occur within a designated consumption area under a common area entertainment permit or a social district.

This act became effective July 7, 2022.

H661 - Age Requirement Modifications/Capital Projects Oversight/BEAD Corrections. (SL 2022-69)

S.L. 2022-69 does the following:

- Clarifies that qualified youth 15 years of age and older can enroll in fire training courses at community colleges on or after January 1, 2021.
- Reduces the age requirement for malt beverage wholesaler salesmen from 21 to 18 years.
- Allows persons 15 years of age to work inside premises that serve alcohol until December 31, 2023.
- Eliminates a requirement that the State Building Commission and Director of the Budget approve guidelines adopted by the State Board of Community Colleges that must be met by community colleges in order to be delegated authority over capital improvement projects.
- Provides that the Department of Administration is not required to review and approve plans and specifications for a State-funded capital improvement project costing less than \$2 million that has been delegated to a community college unless requested to do so in writing by the State Board of Community Colleges.
- Eliminates an annual reporting obligation of the Community Colleges System Office for capital improvement projects estimated to require expenditure of less than \$2 million of public funds.

- Makes a technical correction to the 2022 Appropriations Act relating to the use of federal infrastructure funds by the Department of Information Technology for grants in the Broadband Equity, Access, and Deployment Program.

Except as otherwise provided, this act became effective July 8, 2022.

H768 - 2022 ABC Omnibus. (SL 2022-44)

S.L. 2022-44 does all of the following:

- Repeals the limited winery permit.
- Establishes a new packaging and logistics permit for packagers who label and package alcoholic beverages from suppliers.
- Repeals the purchase-transportation permit and the commercial transportation permit.
- Allows a transition period for ABC permits after a change in ownership of a permitted establishment.
- Allows alcohol sales at professional sporting events occurring at a stadium on the campus of certain community colleges.
- Repeals the term "private bar" and creates a new definition for "bar" to eliminate the membership requirement.
- Allows a distillery to obtain mixed beverages catering permits and provide spirituous liquor for an event being catered by a hotel or restaurant.
- Allows a distillery to obtain a mixed beverages permit and sell mixed beverages containing the spirituous liquor owned by the distillery, regardless of the results of any local mixed beverages election.

Section 2 of this act became effective August 1, 2022. The remainder of this act became effective July 7, 2022.

S470 - ABC Technical and Other Changes. (SL 2022-51)

S.L. 2022-51 does all of the following:

- Makes several technical and conforming changes to laws amended in the 2021 Regular Session by S.L. 2021-150 (House Bill 890).
- Removes the 25% cap on gross receipts from sales of alcoholic beverages on tour boats.
- Defines the term "supplier," for purposes of a supplier's financial interest in a wholesaler.
- Exempts the ABC Commission from rulemaking under the Administrative Procedure Act with respect to approval of alcoholic beverages to be sold in ABC stores and setting prices of alcoholic beverages.
- Allows the ABC Commission to conduct training classes for individuals delivering under a delivery service permit.
- Allows recyclable spirituous liquor containers to be used for display purposes.
- Reduces the indoor seating requirement for a restaurant from at least 36 people to at least 10 people for purposes of ABC permitting and clarifies that a restaurant is not required to have kitchen operations open at all times it is open to the public in order to qualify as a restaurant.
- Exempts bar areas and similar areas in establishments from health inspections.

- Allows industry members to give, lend or sell branded plug-in coolers to hold and display products in ABC stores, provided that the coolers are under the dollar limits set forth by the Commission for product displays.
- Amends the definition of a "bar", as enacted in House Bill 768, to be an establishment that is primarily engaged in the business of selling alcoholic beverages for consumption on the premises.
- Allows for the sale of malt beverages in containers as small as 50 milliliters.
- Updates the name of the North Carolina Propane Gas Association, Inc. to "Southeast Propane Alliance" and directs the Revisor of Statutes to make conforming changes.

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

Children and Families

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 9C.1: Raise NC Pre-K Base Reimbursement Rates. (SL 2022-74)

Section 9C.1 of S.L. 2022-74 amends Section 9C.3 of S.L. 2021-180 by raising the base reimbursement rates for the 2022-2023 fiscal year for child care centers participating in the North Carolina Prekindergarten (NC Pre-K) program from 2% to 7% over the 2021-2022 fiscal rates. A portion of these funds are allocated to raise the base reimbursement rates for public schools and Head Start centers participating in the NC Pre-K program by 5% over the 2021-22 rates for the 2022-2023 fiscal year.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 9C.2: Raise Cap on Administrative Costs/Smart Start . (SL 2022-74)

Section 9C.2 of S.L. 2022-74 amends Section 9C.6(b) of S.L. 2021-180 by raising the cap on administrative costs for local partnerships from not more than 8% to no more than 9% of the total statewide allocation to all local partnerships.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 9G.2: Change in Composition of Maternal Mortality Review Committee. (SL 2022-74)

Section 9G.2 of S.L. 2022-74 amends the statute (G.S. 130A-33.60(b)) by increasing the membership of the Maternal Mortality Review Committee from 9 members to 20 members and by adding a requirement that the membership represent the community.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 9G.3: Use of Juul Settlement Funds. (SL 2022-74)

Section 9G.3 of S.L. 2022-74 amends Section 9G.10 of S.L. 2021-180 to direct funds allocated to the Youth Electronic Nicotine Dependence Abatement Fund remain available for expenditures as specified until expended.

This section became effective June 30, 2022.

H103 - 2022 Appropriations Act.

Sec. 9I.2: Increase Foster Care Administrative Rate with Existing Funds. (SL 2022-74)

Section 9I.2 of S.L. 2022-74 directs the Division of Social Services, Department of Health and Human Services, to increase the administrative rate for foster care using available funds in the foster care budget.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 9L.2(a): Allow Portion of Child Care and Development Block Grant ARPA Funds for Temporary Increase of Child Care Subsidy Rates to 2018 Market Study Rates . (SL 2022-74)

Section 9L.2(a) of S.L. 2022-74 amends the Child Care and Development Block Grant appropriation in the 2021 Appropriations Act (Sec. 9L.2(b)(1)a. of S.L. 2021-180) to allow the Division of Child Development and Early Education, Department of Health and Human Services, to use a portion of the funds to temporarily increase the child care subsidy reimbursement rates to those recommended in the 2018 Child Care Market Rate Study until the funds expire on September 30, 2024.

This section became effective July 1, 2022.

H615 - Jordan's Law. (SL 2022-48)

- Section 1 of the act amends G.S. 50B-3(b) to allow a court to temporarily extend a domestic violence order of protection when the court date to consider the extension is set after the expiration date on the order.
- Section 2 of the act amends G.S. 50-13.1(b) to allow optional participation in custody mediation, rather than mandatory participation, when motions for contempt or motions to show cause are filed.

Section 1 of this act becomes effective December 1, 2022, and applies to pending motions to renew filed before, on, or after that date. Section 2 of this act becomes effective December 1, 2022, and applies to motions filed on or after that date.

H823 - Child Advocacy Centers/Share Information. (Ratified)

HB 823 would have established criteria for Children's Advocacy Centers to receive State funds, established certain requirements for the sharing of information and access to records held by Children's Advocacy Centers and multidisciplinary teams, and established immunity from liability for certain circumstances for the multidisciplinary team, individuals and volunteers working for a Children's Advocacy Center.

HB 823 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

H1018 - GSC Bar Association Proposals/Landmark Designation. (SL 2022-64)

S.L. 2022-64 makes various changes affecting real property; strengthens the personal liability protection for limited liability partnerships; aligns the authority to transfer venue for judicial review of contested cases with other cases; makes conforming changes to account for special fiduciaries in guardianship proceedings; and clarifies and improves the landmark designation procedure, as recommended by the General Statutes Commission.

Except as otherwise provided, the act became effective July 8, 2022.

S278 - Property/Family Law-Reimburse Property Expenditures. (SL 2022-12)

S.L. 2022-12 does the following:

- Clarifies the right of one spouse to reimbursement from the other spouse for expenditures made with respect to property during the time that the property is held as tenants by the entirety. (Section 1)
- Requires certain information to be included in a condominium declaration before it is recorded. (Section 2)
- Clarifies the applicability of certain provisions of the Condominium Act to condominiums created on or before October 1, 1986. (Section 3)
- Provides that provisions contained in a declaration of covenants applicable to condominiums, cooperatives, and most planned communities from extinguishment by operation of the Marketable Title Act. (Section 4)

The Marketable Title Act changes became effective July 1, 2022. The remainder of the act became effective June 29, 2022, and the content requirement for condominium declarations applies to declarations recorded on or after that date.

Civil Law and Procedure

See full summary documents for additional detail

H776 - Remote Electronic Notarization. (SL 2022-54)

S.L. 2022-54 does the following:

- Allows, effective July 1, 2023, authorized North Carolina notaries to remotely perform electronic notarial acts using real time online communication technology. At the time of the remote electronic notarial act, the notary to the transaction would be required to be physically located in North Carolina and the principal anywhere inside the United States or, in certain circumstances, outside the United States.
- Reauthorizes, effective July 8, 2022, temporary use of the emergency video authorization to perform remote notarizations until June 30, 2023.

H911 - Regulatory Reform Act of 2022.

Sec. 11: Permit a Consumer Finance Licensee to Take a Confession of Judgment from a Borrower Following the Borrower's Failure to Make a Payment as Required under the Loan Contract. (SL 2022-75)

Section 11 of S.L. 2022-75 provides that the State's prohibition on taking a confession of judgment from a borrower does not apply to a licensee taking a confession of judgment from a borrower following the borrower's failure to make a payment as required under the loan contract.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 17: Amend North Carolina Timeshare Act Transfer Provisions. (SL 2022-75)

Section 17 of S.L. 2022-75 narrows the definition of "timeshare transfer services" to exclude services "offered" in the State or "offered or provided anywhere in connection with a timeshare program containing timeshare units or a timeshare property located in this State." This section also removes language that could be interpreted to subject out-of-state companies acting out-of-state to personal jurisdiction in a North Carolina court. It narrows this to any business providing such services "in this State."

This section became effective July 12, 2022.

S769 - GSC Postponement/Judicial & Execution Sales. (SL 2022-60)

S.L. 2022-60 allows judicial sales and execution sales to be postponed up to 90 days, aligning the postponement authority for judicial and execution sales with that of sales under a contractual power of sale clause. This act also makes numerous conforming, clarifying, and technical changes to each statute amended.

This act becomes effective October 1, 2022, and applies to sales noticed on or after that date.

Commercial Law and Consumer Protection

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 5.6: Home Appliance Service Agreement Modification. (SL 2022-74)

Section 5.6 of S.L. 2022-74 expands the definition of a home appliance service agreement to include damage or failure arising out of a power surge and accidental damage from handling, and to exclude from this definition contracts or agreements that reimburse the home appliance service agreement holder for damage occurring during delivery or installation.

This section became effective July 11, 2022, and applies to home appliance service agreements entered into on or after that date.

H619 - Weston's Law. (SL 2022-56)

S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

H1018 - GSC Bar Association Proposals/Landmark Designation. (SL 2022-64)

S.L. 2022-64 makes various changes affecting real property; strengthens the personal liability protection for limited liability partnerships; aligns the authority to transfer venue for judicial review of contested cases with other cases; makes conforming changes to account for special fiduciaries in guardianship proceedings; and clarifies and improves the landmark designation procedure, as recommended by the General Statutes Commission.

Except as otherwise provided, the act became effective July 8, 2022.

S766 - Organized Retail Theft. (SL 2022-30)

S.L. 2022-30 does all of the following:

- Increases the penalties for organized retail theft.
- Provides additional penalties for damage to property or assault of a person during the commission of organized retail theft.
- Provides additional recovery to retail establishments for loss due to organized retail theft.
- Regulates high-volume third-party sellers operating on online marketplaces.

The provisions related to organized retail theft become effective December 1, 2022, and apply to offenses committed on or after that date. The online marketplace regulations become effective January 1, 2023.

Information Technology

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 9B.3: Further Study of the Statewide Health Information Exchange Network and the Statewide Health Information Exchange Act; and Temporary Suspension of the Health Information Exchange Act Provision Conditioning the Receipt of State Funds on Connecting to and Submitting Data to the Health Information Exchange Network. (SL 2022-74)

Section 9B.3 of S.L. 2022-74 requires the Health Information Exchange Advisory Board to submit a report to the Joint Legislative Oversight Committee on Health and Human Services on the status of the Health Information Exchange. The report must be submitted by March 31, 2023, and contain (i) an update regarding the connectivity status of providers and entities required by the Health Information Exchange Act (HIEA) to connect to and submit data through the Health Information Exchange, and (ii) recommendations for features or actions, including legislative or administrative proposals, to support enforcement of the HIEA. This section clarifies that, notwithstanding the provisions of the HIEA, connection to the Health Information Exchange cannot be a requirement for receipt of State funds until the appointment of an agency responsible for enforcing the provisions of the HIEA.

This section became effective July 11, 2022.

H661 - Age Requirement Modifications/Capital Projects Oversight/BEAD Corrections. (SL 2022-69)

S.L. 2022-69 does the following:

- Clarifies that qualified youth 15 years of age and older can enroll in fire training courses at community colleges on or after January 1, 2021.
- Reduces the age requirement for malt beverage wholesaler salesmen from 21 to 18 years.
- Allows persons 15 years of age to work inside premises that serve alcohol until December 31, 2023.
- Eliminates a requirement that the State Building Commission and Director of the Budget approve guidelines adopted by the State Board of Community Colleges that must be met by community colleges in order to be delegated authority over capital improvement projects.
- Provides that the Department of Administration is not required to review and approve plans and specifications for a State-funded capital improvement project costing less than \$2 million that has been delegated to a community college unless requested to do so in writing by the State Board of Community Colleges.
- Eliminates an annual reporting obligation of the Community Colleges System Office for capital improvement projects estimated to require expenditure of less than \$2 million of public funds.
- Makes a technical correction to the 2022 Appropriations Act relating to the use of federal infrastructure funds by the Department of Information Technology for grants in the Broadband Equity, Access, and Deployment Program.

Except as otherwise provided, this act became effective July 8, 2022.

Insurance

See full summary documents for additional detail

S347 - Captive Insurance Amendments. (SL 2022-7)

S.L. 2022-7 makes a number of technical and substantive changes to the laws governing captive insurance companies in the State. This act has various effective dates. Please see the full summary for more detail.

S347 - Captive Insurance Amendments.

Sec. 5: Captive Insurance Company Tax Changes. (SL 2022-7)

Section 5 of S.L. 2022-7 makes the following tax-related changes regarding captive insurance companies:

- Provides that two or more captive insurance companies under common ownership and control will be taxed as separate companies if they are either a protected cell captive insurance company or a special purpose captive insurance company with a cell or series structure. It also specifies the aggregate amount of tax payable by a special purpose captive insurance company with a cell or series structure with more than 10 cells or series. This provision is effective for premium taxes imposed for taxable years beginning on or after January 1, 2022.
- Provides that if a licensed captive insurance company formed and licensed in another jurisdiction redomesticates to North Carolina with the approval of the Commissioner prior to December 31, 2022, it is exempt from premium taxes otherwise due for the remainder of the year in which redomestication occurs and for the calendar year following its redomestication. This provision is effective for premium taxes imposed for taxable years beginning on or after January 1, 2021, and expires for taxable years beginning on or after January 1, 2024.

S496 - DOI Omnibus Bill. (SL 2022-46)

S.L. 2022-46 does the following:

- Makes various changes to North Carolina's insurance laws, as recommended by the Department of Insurance (DOI), including:
 - Removes personal delivery as a delivery option for certain DOI forms.
 - Expands quality limitations to include certain obligations held by subsidiaries and affiliated corporations.
 - Discontinues certain notification requirements to the Commissioner of Insurance (COI) from licensed professional employer organizations.
 - Extends certain requirements applicable to Prepaid Health Plans (PHP) to Health Maintenance Organizations (HMO).
 - Clarifies continuation of health care service requirements for PHPs when impacted by insolvency.
 - Requires public educational entities to annually report to the Commissioner certain insured property information.
 - Conforms penalties related to manufactured housing standards with federal law.
 - Updates contact information for the Seniors' Health Insurance Information Program.

- Prevents businesses with a revoked or suspended license in North Carolina from offering insurance products to North Carolina residents through another state's licensure.
- Modifies state of disaster and public health emergency provisions for property and casualty insurance companies, premium finance companies, and collection agencies.
- Expands the types of program enhancements insurers may offer to consumers.
- Provides additional notice to consumers regarding exclusions contained in travel insurance.
- Removes the requirement that a licensed insurance agent must obtain a broker license and post a bond in order to broker business and makes technical and conforming changes throughout Chapter 58 (Insurance) of the General Statutes.
- Allows a certificate of self-insurance to serve as evidence of proof of financial responsibility and removes a vehicle requirement on religious organizations to be self-insured.
- Prohibits a person from requiring an insurance company or agent to disclose the replacement cost estimator for the lending of money or extension of credit to be secured by real property.
- Amends certain appointments made by the COI to the North Carolina Reinsurance Facility's Board of Governors.
- Amends an annual reporting deadline for members of the North Carolina Insurance Underwriting Association.
- Creates exemptions for certain DOI employment contracts.
- Under the North Carolina Life and Health Insurance Guaranty Association Act, amends the definition of "member insurer" to replace the phrase "hospital or medical service corporation" with the phrase "full-service corporation."
- Prohibits the North Carolina Innovation Council or any applicable State agency from granting an innovation waiver that alters or amends Article 36 (North Carolina Rate Bureau) or Article 37 (North Carolina Motor Vehicle Reinsurance Facility) of Chapter 58 (Insurance) of the General Statutes, or all financial and solvency requirements that apply to nonadmitted domestic surplus lines insurers.
- Revises the primary automobile liability and combined uninsured and undersinsured insurance requirements for transportation network companies.
- Authorizes the North Carolina Global TransPark Authority to receive and administer grant funding for the National Telecommunications and Information Administration for the expansion of broadband infrastructure and access in Lenoir County.
- Requires home inspection reports to be provided within 3 days after an inspection is performed, unless modified by a written agreement.
- Allows an individual to take the home inspector license examination once every 90 days instead of once every 180 days.
- Amends the Building Code to require different minimum insulation requirements for unconditioned attic spaces.

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

Labor and Employment

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 8.4: UNC and ECU Dental School Clinical Operations Personnel Flexibility. (SL 2022-74)

Section 8.4 of S.L. 2022-74 modifies the employment requirements that apply to personnel of Dental School Clinical Operations at the University of North Carolina at Chapel Hill and East Carolina University. Employees of both entities are deemed to be State employees and subject to relevant provisions of State law, including the following provisions of Chapter 126:

- Article 5 (Political Activity of Employees)
- Article 6 (Equal Employment and Compensation Opportunity; Assisting in Obtaining State Employment)
- Article 7 (The Privacy of State Employee Personnel Records)
- Article 14 (Protection for Reporting Improper Government Activities)

Except for the provisions described above, these employees are not subject to Chapter 126 of the General Statutes. Each entity's respective board of trustees is responsible for setting policies and procedures governing the terms and conditions of employment for these employees, including:

- Leave policies.
- Partial pay supplementing workers' compensation payments.
- Working conditions.
- Service awards and incentive award programs.
- Grounds for dismissal, demotion, or discipline.
- Other personnel policies or measures that promote the hiring and retention of capable, diligent, and effective career employees.
- Setting office hours, workdays, and holidays to be observed.
- Establishing boards, committees, or councils to conduct hearings upon the appeal of employees who have been suspended, demoted, otherwise disciplined, or discharged.

The board of trustees must submit initial classification and pay plans, as well as other rules and regulations, to the Office of State Human Resources for review.

Employees who achieve career State employee status by June 30, 2022, cannot have their compensation reduced by any rules or regulations adopted by the board of trustees pursuant to this authority. Additionally, these career status employees must be subject to the discipline or discharge rules that were effective on June 30, 2022, and not any rules adopted after that date.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 13.1: Occupational Health and Safety Division Issuance of Citations. (SL 2022-74)

Section 13.1 of S.L. 2022-74 amends the Occupational Safety and Health Act of North Carolina to provide that no citation may be issued after six months following the initiation of an inspection, rather than six months after the occurrence of a violation.

This section becomes effective October 1, 2022, and applies to inspections initiated on or after that date.

H103 - 2022 Appropriations Act.

Sec. 13.2: OSH Penalty Modifications. (SL 2022-74)

Section 13.2 of S.L. 2022-74 amends statutes setting out the civil penalties assessed against an employer who violates occupational safety and health requirements. The section increases from \$14,000 to \$29,000 the maximum amount assessed for each serious violation that involves injury to an employee under the age of 18. The section also removes all other dollar amounts for penalties set out in statute but requires the Commissioner of Labor to adjust minimum and maximum civil penalties in accordance with the requirements established in the United States Consumer Price Index for All Urban Consumers published by the US Department of Labor, as necessary to comply with federal law. The Commissioner has 60 calendar days from the date the final rule is published in the Federal Register to publish the civil penalties in the North Carolina Register.

The section becomes effective October 1, 2022, and applies to civil penalties assessed on or after that date.

H103 - 2022 Appropriations Act.

Sec. 19.C.1: Make Prison Wardens Exempt Employees. (SL 2022-74)

Section 19.C.1 of S.L. 2022-74 makes wardens of State adult correctional facilities generally exempt from the State Human Resources Act. Articles 6 and 7 of that Act, dealing with equal employment and compensation opportunity and privacy of State employee personnel records, still apply to prison wardens. Additionally, policies and rules adopted by the State Human Resources Commission under specified statutes also apply to prison wardens. Employees in these positions are public servants and must file Statements of Economic Interest.

This section became effective July 1, 2022, and applies to persons hired before, on, or after that date.

*Please note that Sec. 20 of S.L. 2022-58 makes a similar change to the same statute.

H560 - Public Safety Reform.

Sec. 20: Make Prison Wardens Exempt Employees. (SL 2022-58)

Section 20 of S.L. 2022-58 makes wardens of State adult correctional facilities generally exempt from the State Human Resources Act. Articles 6 and 7 of that Act, dealing with equal employment and compensation

opportunity and privacy of State employee personnel records, still apply to prison wardens. Additionally, policies and rules adopted by the State Human Resources Commission under specified statutes also apply to prison wardens. This section became effective July 1, 2022, and applies to persons hired on or after that date.

*Please note that Sec. 19C.1 of S.L. 2022-74 makes a similar change to the same statute.

H661 - Age Requirement Modifications/Capital Projects Oversight/BEAD Corrections. (SL 2022-69)

S.L. 2022-69 does the following:

- Clarifies that qualified youth 15 years of age and older can enroll in fire training courses at community colleges on or after January 1, 2021.
- Reduces the age requirement for malt beverage wholesaler salesmen from 21 to 18 years.
- Allows persons 15 years of age to work inside premises that serve alcohol until December 31, 2023.
- Eliminates a requirement that the State Building Commission and Director of the Budget approve guidelines adopted by the State Board of Community Colleges that must be met by community colleges in order to be delegated authority over capital improvement projects.
- Provides that the Department of Administration is not required to review and approve plans and specifications for a State-funded capital improvement project costing less than \$2 million that has been delegated to a community college unless requested to do so in writing by the State Board of Community Colleges.
- Eliminates an annual reporting obligation of the Community Colleges System Office for capital improvement projects estimated to require expenditure of less than \$2 million of public funds.
- Makes a technical correction to the 2022 Appropriations Act relating to the use of federal infrastructure funds by the Department of Information Technology for grants in the Broadband Equity, Access, and Deployment Program.

Except as otherwise provided, this act became effective July 8, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 13: Waterslide Dispatcher Change. (SL 2022-75)

Section 13 of S.L. 2022-75 defines "waterslide dispatcher" as an employee stationed at the top of a waterslide for the purpose of managing the ride queue and dispatching waterslide users and provides that waterslide dispatchers must be at least 16 years of age.

This section became effective July 12, 2022.

Local Government

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 5.7: Authorize Sanitary Districts to Create, Maintain, and Operate Parks and Recreation Programs and Facilities. (SL 2022-74)

Section 5.7 of S.L. 2022–74 authorizes sanitary districts to provide for the creation, maintenance, and operation of parks and recreation programs and facilities. However, sanitary districts are prohibited from using the power of eminent domain to acquire real property for parks and recreation programs or facilities.

This section became effective July 1, 2022.

H211 - Social District/Common Area Clarifications. (SL 2022-49)

S.L. 2022-49 recodifies and revises the statutes related to common area entertainment permits and social districts to make them more uniform and clarifies (i) the areas that can be included under a common area entertainment permit or a social district and (ii) the activities that may occur within a designated consumption area under a common area entertainment permit or a social district.

This act became effective July 7, 2022.

H315 - Arson Law Revisions. (SL 2022-8)

S.L. 2022-8 makes the following changes to various laws related to arson:

- Increases the punishment for certain arson offenses. This section becomes effective December 1, 2022, and applies to offenses committed on or after that date.
- Creates a new Class F felony for "serious injury" suffered by a firefighter, law enforcement officer, fire investigator, or emergency medical technician in responding to a fire caused by arson. This section becomes effective December 1, 2022, and applies to offenses committed on or after that date.
- Requires criminal history background checks of applicants to fire departments, requires applicants to disclose certain convictions, and prohibits persons convicted of certain crimes from serving as a volunteer or paid member of a fire department. This section became effective June 14, 2022, and applies to applications submitted on or after that date.

H911 - Regulatory Reform Act of 2022.

Sec. 3: Authorize Sanitary Districts to Create, Maintain, and Operate Parks and Recreation Programs and Facilities. (SL 2022-75)

Section 3 of S.L. 2022–75 authorizes sanitary districts to provide for the creation, maintenance, and operation of parks and recreation programs and facilities. However, sanitary districts are prohibited from using the power of eminent domain to acquire real property for parks and recreation programs or facilities.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 10: Extend Deadline for Small Municipalities to Adopt Comprehensive Land-Use Plans. (SL 2022-75)

Section 10 of S.L. 2022-75 gives municipalities with a population of 1,500 or less an extra year to adopt a comprehensive land-use plan as required by the 2019 reorganization of State's land-use regulatory laws.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 14: Allow Local Governments to Enter Intergovernmental Support Agreements with Military to Provide Installation-Support Services. (SL 2022-75)

Section 14 of S.L. 2022-75 allows counties and cities to enter into agreements to provide installation-support with military installations, consistent with federal law.

This section became effective July 12, 2022.

S101 - Require Cooperation with ICE 2.0. (Ratified)

SB 101 would have done the following:

- Require that Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE) be queried when an individual charged with certain offenses was in custody and that person's legal residency or United States citizenship status was undetermined.
- Require a judicial official to order that a prisoner subject to a detainer and administrative warrant be held in custody for 48 hours or until ICE resolves the request.
- Create reporting requirements related to ICE queries.

SB 101 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

S265 - Bond Info Transparency/LGC Toolkit II. (SL 2022-53)

S.L. 2022-53 does the following:

- Requires units to provide a statement of disclosures that contain the estimated interest costs of the bond issuance, estimated property tax rate changes, if any, needed to service the proposed debt, and a calculation of the two-thirds bonds capacity of the unit for the current fiscal year (Sections 1-4).

- Requires units to file interim reports with the Local Government Commission (LGC) for events that will or may have a material, adverse effect on the financial health, operations, or internal controls of the unit (Section 5).
- Limits the amount of debt a unit on the most recently published Unit Assistance List could incur without LGC approval (Section 6).
- Repeals a provision requiring the State Health Plan to charge interest on late premiums to local governments and charter schools as the provision is not cost-effective to administer (Section 7).
- Requires notice to the LGC of the creation of any new public authority or unit that is subject to the Local Government Budget and Fiscal Control Act (Section 8).
- Increases the fidelity bond requirements for finance officers to protect the assets of local governments and public authorities (Section 9). This section becomes effective January 1, 2023.
- Authorizes charter schools to participate in the State Treasurer's Ancillary Governmental Participant Investment Program (AGPIP) (Section 9.5).

Except as otherwise provided, this act became effective July 7, 2022, and applies to bonds issued under bond orders introduced on or after October 1, 2022, and to contracts entered into on or after October 1, 2022.

S435 - Terminations of States of Emergency. (SL 2022-57)

S.L. 2022-57 establishes certain notice requirements when prohibitions or restrictions enacted during a local state of emergency expire or terminate, effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 1: Clarify the Applicability of the Farm Building Exception to the Building Code. (SL 2022-55)

Section 1 of S.L. 2022-55 provides that a building used primarily for storage of agricultural commodities or products, or storage and use of materials for agricultural purposes, is considered a farm building for purposes of the North Carolina Building Code, regardless of whether the building is located on the same property where the agricultural commodities or products were produced. The building must be surrounded by at least 60 feet of open space and be placarded as "Ag Exempt."

This section became effective July 8, 2022.

S762 - North Carolina Farm Act of 2022.

Sec. 2: Agricultural Use Clarification. (SL 2022-55)

Section 2 of S.L. 2022-55 clarifies that for purposes of county zoning, a building or structure that is used solely for the storage of cotton, peanuts, or sweetpotatoes, or any of the byproducts of those commodities, is a bona fide farm purpose.

This section became effective July 8, 2022.

Military, Veterans, and Indian Affairs

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 20.4: Remove Covenants From Department of Administration Property Sale to Lumbee Tribal Administration/Repeal Lumbee Tribe Trust Fund . (SL 2022-74)

Section 20.4 of S.L. 2022-74 removes all restrictive covenants on certain lands owned by the Lumbee Tribe of North Carolina and eliminates the Lumbee Tribe of North Carolina Trust Fund.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Part 42: Finance. (SL 2022-74)

Part XLII of S.L. 2022-74 makes the following tax-related changes:

- Section 42.1 – Expands the individual income tax exclusion of military retirement pay to include retirement pay for service in all uniformed services. The exclusion enacted in Section 42.1A of S.L. 2021-180 applied only to members of the Armed Forces; this provision extends the exclusion to retirees of the commissioned corps of the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Public Health Service. This provision became effective for taxable years beginning on or after January 1, 2022.
- Section 42.2 – Exempts from sales and use tax purchases by interstate air and ground couriers of certain equipment, including conveyor systems, and related parts and accessories, purchased for use at package sorting facilities. Minimum investment and employment thresholds must be met to be eligible for and to maintain the exemption. This provision became effective July 1, 2022, and applies to purchases made on or after that date.
- Section 42.3 – Transfers a portion of the sales and use tax proceeds, ranging from 2%-6% over three years, to the Highway Fund and Highway Trust Fund for transportation needs. This provision became effective July 1, 2022.
- Section 42.4 – Shifts from annual to quarterly the motor fuel tax refund available for the off-highway use of motor fuel. This provision becomes effective January 1, 2023, and applies to purchases of motor fuel on or after that date.

H103 - 2022 Appropriations Act.

Sec. 42.1: Expand Income Tax Exclusion of Military Retirement Pay to NOAA and U.S. Public Health Service Retirees. (SL 2022-74)

Section 42.1 of S.L. 2022-74 expands the individual income tax exclusion of military retirement pay to include retirement pay for service in all uniformed services. The exclusion enacted in Section 42.1A of S.L. 2021-180 applied to members of only the Armed Forces; this provision extends the exclusion to retirees of the commissioned corps of the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Public Health Service.

This section became effective for taxable years beginning on or after January 1, 2022.

H159 - Education Law Changes.

Sec. 2.5: Extending Benefits of Interstate Compact on Educational Opportunity for Military Children. (SL 2022-71)

Section 2.5 of S.L. 2022-71 provides children of inactive members of the National Guard and military reserves certain intrastate and interstate services related to school transfers if the student's parent is required to move to perform military service-related responsibilities. The required services are similar to those provided to military children under the Interstate Compact on Educational Opportunity for Military Children.

This section became effective July 8, 2022, and applies beginning with the 2022-2023 academic school year.

H159 - Education Law Changes.

Sec. 3.6: Clarify Eligibility of Disabled Veterans for Patriot Star Family Scholarship Programs. (SL 2022-71)

Section 3.6 of S.L. 2022-71 clarifies the definition of "eligible disabled veteran" to include veterans who incurred traumatic injuries, wounds, or illness as a member of the Armed Forces while training in preparation for future conflicts if the veteran is receiving compensation of at least 50% as rated by the U.S. Department of Veterans Affairs as a result of those injuries, wounds, or illness.

This section became effective July 1, 2021, and applies to applications for scholarship awards submitted on or after that date.

H252 - Bail Bond/Bondsmen Provisions/Other Changes. (SL 2022-73)

S.L. 2022-73 does all of the following:

- Revises the qualifications and examination requirements for bail bondsmen and runners.
- Modifies the grounds for setting aside a bail bond forfeiture and makes conforming changes to the disclosures required to be contained in a notice of forfeiture.
- Authorizes the State to exercise concurrent jurisdiction for offenses committed by juveniles on United States military bases located within the State.
- Authorizes all Department of Defense special agents to assist State and local law enforcement agencies.
- Provides the process for conducting an election held following a vacancy in the office of district court judge as required by S.L. 2021-180, depending on when in the election cycle the vacancy occurs.
- Makes technical corrections to other legislation.

This act contains varying effective dates. Please see the full summary for details.

H911 - Regulatory Reform Act of 2022.

Sec. 14: Allow Local Governments to Enter Intergovernmental Support Agreements with Military to Provide Installation-Support Services. (SL 2022-75)

Section 14 of S.L. 2022-75 allows counties and cities to enter into agreements to provide installation-support with military installations, consistent with federal law.

This section became effective July 12, 2022.

Occupational Boards and Licensing

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 9K.3: Temporary Authorization of Behavior Analysts to Practice Without Supervision. (SL 2022-74)

Section 9K.3 of S.L. 2022-74 authorizes an individual to engage in the practice of behavior analysis without the supervision of a licensed psychologist under the following circumstances:

- The individual is licensed or certified in another state or jurisdiction as a behavior analyst, assistant behavior analyst, or behavior technician, as defined in the statutes (G.S. 90-732).
- The individual is nationally accredited by the Behavior Analyst Certification Board, or its successor, as a board-certified behavior analyst, board-certified assistant behavior analyst, or registered behavior technician.
- The individual is nationally accredited by the Qualified Applied Behavior Analysis Credentialing Board, or its successor, as a qualified behavior analyst, qualified autism services practitioner supervisor, or applied behavior analysis technician.

The section further provides that assistant behavior analysts, behavior technicians, or their nationally accredited equivalents authorized to practice under this section must be supervised by a behavior analyst in accordance with the law (Article 43 of Chapter 90 of the General Statutes).

This section became effective July 11, 2022, and expires 60 calendar days from the date the North Carolina Behavior Analysis Board accepts licensure applications for behavior analysts, assistant behavior analysts, and behavior technicians.

H791 - Licensed Counselors Compact/DHHS Contracting. (SL 2022-52)

S.L. 2022-52 makes North Carolina a member of the Professional Counseling Licensure Compact, an interstate licensure compact for licensed professional counselors, and implements procedures for contract reform within the Department of Health and Human Services. It also changes the process by which the Department of Health and Human Services enters into contracts with nonprofit grantees.

The Compact provisions will be effective when the tenth member state enacts the Compact. The North Carolina Board of Licensed Clinical Mental Health Counselors must report to the Revisor of Statutes when the tenth member state has enacted the Compact. The contracting provisions became effective July 15, 2022.

H792 - Barbers/Electrolysis Boards/Merger. (SL 2022-72)

S.L. 2022-72 does the following:

- Amends the statutes pertaining to the practice of barbering and electrolysis as follows:
 - Merges the existing State Board of Barber Examiners and the Board of Electrolysis Examiners into a single board to be known as the North Carolina Board of Barber and

Electrolysis Examiners (Board). The terms of the newly created Board begin on January 1, 2023.

- Authorizes mobile barbershops.
 - Revises barber school requirements.
 - Establishes an electrolysis apprenticeship program.
 - Modifies certain fee provisions.
-
- Increases the annual Job Development Investment Grant for any business headquarters in the State by 20% if the business meets certain requirements, such as relocating its out-of-state manufacturing operation to a development tier 1 or tier 2 area.

 - Makes a technical correction to the effective date of language in S.L. 2022-73.

Section 1 and Section 2 of this act become effective January 1, 2023, and apply to applications for licensure, examination, and renewal submitted on or after that date. The remainder of this act became effective July 8, 2022.

H869 - State Bar Grievance Process/Ethics Records. (SL 2022-61)

S.L. 2022-61 creates a grievance review panel to allow respondents to appeal privately a public discipline decision by the Grievance Committee before appealing to the Disciplinary Hearing Commission (DHC) and provides that documents in the possession of the State Bar or its staff, employees, legal counsel, councilors, or Ethics Committee advisory members concerning any request for ethics advice are not public records, unless the material, with the consent of the inquiring party, appears in a public agenda of the Ethics Committee.

This act became effective July 8, 2022, and the section of the act pertaining to the grievance review panel applies to grievances and proceedings existing on or commenced on or after that date.

H911 - Regulatory Reform Act of 2022.

Sec. 4: Clarify NC Veterinary Medical Board Authority to Issue Certain Civil Penalties. (SL 2022-75)

Section 4 of S.L. 2022-75 provides that the North Carolina Veterinary Medical Board (Board) may impose and collect from licensees and veterinary facility permittees a civil penalty of up to \$5,000 for each violation of the veterinary licensing Article.

This section became effective July 12, 2022 and applies to civil penalties issued on or after that date.

H911 - Regulatory Reform Act of 2022.

Sec. 12: Clarify Scope of Licensed Water Heater Installation and Repair. (SL 2022-75)

Section 12 of S.L. 2022-75 clarifies the scope of plumbing, heating, and fire sprinkler contracting to include the installation of certain heating, ventilation, and air conditioning systems and water heaters, and excludes

from the scope of business those who clean plumbing drains. This section also makes a change to the required contract for water heater sale and installation.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 15: Amend Licensure Requirements for Cosmetic Arts. (SL 2022-75)

Section 15 of S.L. 2022-75 amends the licensure requirements for Cosmetic Arts to reduce the experience requirements to one year for all applicants for cosmetic art licensure and require applicants for licensure as a natural hair care teacher to pass a Board-conducted examination.

This section becomes effective October 1, 2022, and applies to applications for licensure on or after that date.

S138 - Funeral Director Exam/Death Certificates. (SL 2022-63)

S.L. 2022-63 adds a definition for "entry level examination in funeral directing" to G.S. 90-210.20, allows greater flexibility granting North Carolina licenses to individuals who are licensed as funeral directors in other states, allows more time for individuals selling preneed funeral contracts to pay their fees to the Board of Funeral Services, requires local health departments and registers of deeds to accept paper death certificates through August 31, 2022, and creates a penalty to be assessed against individuals who do not certify death records through the electronic system.

The portions of the act pertaining to funeral directors and contracts become effective October 1, 2022. The remainder of the act became effective July 8, 2022.

S372 - Electrical Licensing/Building Code/Development Reform 2022. (SL 2022-11)

S.L. 2022-11 makes various changes to the electrical licensing, wastewater, Building Code and development laws of the State.

- G.S. 143-151.58(a) as amended by Section 11(b) of this act was subsequently amended by Section 24(a) of S.L. 2022-46.

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

S424 - Private Protective Services Licensing Modifications. (SL 2022-66)

S.L. 2022-66 makes a number of changes to the law regulating the private protective services profession. The act has various effective dates. Please see the full summary for more details.

S651 - Amend Veterinary Practice Act/DACS Budget. (SL 2022-67)

S.L. 2022-67 does all the following:

- Defines "staff" and eliminates the phrase "veterinary employee" from the veterinary statutes.
- Defines "veterinary consulting" and clarifies that it does not constitute the practice of veterinary medicine.
- Increases the dollar cap on fee increases for veterinary practice facility inspection, veterinary facility inspection, and sets a dollar fee cap on veterinary facility permit issuance.
- Expands the eligibility for "veterinary student interns" to include currently enrolled students who have satisfactorily completed the second year of an accredited veterinary college.
- Eliminates the position of "veterinary student preceptees" from the veterinary statutes.
- Makes technical and conforming changes to the North Carolina Veterinary Practice Act.
- Allows the Department of Agriculture and Consumer Services (DACS) to use funds allocated to it to repair the restaurant facility at the Piedmont Triad Farmers Market.
- Makes a technical change to a DACS budget provision.

This act becomes effective October 1, 2022, except that the DACS-related provisions became effective July 1, 2022.

Property, Trusts, and Estates

See full summary documents for additional detail

H619 - Weston's Law. (SL 2022-56)

S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

H674 - Require DNA Various Convict'ns/Other Matters. (SL 2022-50)

S.L. 2022-50 does the following:

- Adds additional offenses to the list of offenses requiring submission of a DNA sample after a conviction or a finding of not guilty by reason of insanity. This section becomes effective December 1, 2022, and applies to convictions or findings of not guilty by reason of insanity on or after that date.
- Clarifies that medical facilities and medical professionals cannot bill sexual assault victims for forensic medical examinations and updates certain definitions. This section becomes effective October 1, 2022, and applies to forensic medical examinations completed on or after that date.
- Authorizes a county board of commissioners to designate the county finance officer or the county manager to refund the deed stamp tax.
- Requires that the register of deeds maintains a separately kept backup storage system, that is restorable from any point, for the purposes of disaster recovery, for the index of registered instruments that the register of deeds is required to maintain.

Except as otherwise provided, this act became effective July 7, 2022.

H674 - Require DNA Various Convictions/Other Matters.

Sec. 2.1: Deed Stamp Tax Refunds. (SL 2022-50)

Section 2.1 of S.L. 2022-50 authorizes a county board of commissioners to designate the county finance officer or the county manager to refund the deed stamp tax.

Section 2.1 of S.L. 2022-50 became effective July 7, 2022.

H776 - Remote Electronic Notarization. (SL 2022-54)

S.L. 2022-54 does the following:

- Allows, effective July 1, 2023, authorized North Carolina notaries to remotely perform electronic notarial acts using real time online communication technology. At the time of the remote electronic notarial act, the notary to the transaction would be required to be physically located in North Carolina and the principal anywhere inside the United States or, in certain circumstances, outside the United States.
- Reauthorizes, effective July 8, 2022, temporary use of the emergency video authorization to perform remote notarizations until June 30, 2023.

H911 - Regulatory Reform Act of 2022.

Sec. 17: Amend North Carolina Timeshare Act Transfer Provisions. (SL 2022-75)

Section 17 of S.L. 2022-75 narrows the definition of "timeshare transfer services" to exclude services "offered" in the State or "offered or provided anywhere in connection with a timeshare program containing timeshare units or a timeshare property located in this State." This section also removes language that could be interpreted to subject out-of-state companies acting out-of-state to personal jurisdiction in a North Carolina court. It narrows this to any business providing such services "in this State."

This section became effective July 12, 2022.

H1018 - GSC Bar Association Proposals/Landmark Designation. (SL 2022-64)

S.L. 2022-64 makes various changes affecting real property; strengthens the personal liability protection for limited liability partnerships; aligns the authority to transfer venue for judicial review of contested cases with other cases; makes conforming changes to account for special fiduciaries in guardianship proceedings; and clarifies and improves the landmark designation procedure, as recommended by the General Statutes Commission.

Except as otherwise provided, the act became effective July 8, 2022.

S278 - Property/Family Law-Reimburse Property Expenditures. (SL 2022-12)

S.L. 2022-12 does the following:

- Clarifies the right of one spouse to reimbursement from the other spouse for expenditures made with respect to property during the time that the property is held as tenants by the entirety. (Section 1)
- Requires certain information to be included in a condominium declaration before it is recorded. (Section 2)
- Clarifies the applicability of certain provisions of the Condominium Act to condominiums created on or before October 1, 1986. (Section 3)
- Provides that provisions contained in a declaration of covenants applicable to condominiums, cooperatives, and most planned communities from extinguishment by operation of the Marketable Title Act. (Section 4)

The Marketable Title Act changes became effective July 1, 2022. The remainder of the act became effective June 29, 2022, and the content requirement for condominium declarations applies to declarations recorded on or after that date.

S762 - North Carolina Farm Act of 2022.

Sec. 4: Preserve Conservation Easements After Property Tax Foreclosures. (SL 2022-55)

Section 4 of S.L. 2022-55 provides that conservation agreements survive real property tax foreclosure sales.

This section became effective July 8, 2022.

S769 - GSC Postponement/Judicial & Execution Sales. (SL 2022-60)

S.L. 2022-60 allows judicial sales and execution sales to be postponed up to 90 days, aligning the postponement authority for judicial and execution sales with that of sales under a contractual power of sale clause. This act also makes numerous conforming, clarifying, and technical changes to each statute amended.

This act becomes effective October 1, 2022, and applies to sales noticed on or after that date.

Retirement

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 39.20: Increase One-Time COLA Supplement for TSERS, CJRS, LRS Retirees. (SL 2022-74)

Section 39.20 of S.L. 2022-74 amends Section 39.23 of S.L. 2021-180 to increase from 3% to 4% the one-time cost-of-living supplement for retirees of the Teachers and State Employees Retirement (TSERS), the Consolidated Judicial Retirement System (CJRS) and the Legislative Retirement System (LRS). The section provides that after September 1, 2022, but on or before October 31, 2022, the one-time 4% cost-of-living supplement payment must be made to beneficiaries who are living as of September 1, 2022, and whose retirement commenced on or before September 1, 2022.

This section became law July 1, 2022.

H177 - Extend Spiking Moratorium/LGERS Surety. (SL 2022-70)

S.L. 2022-70 extends the pension-spiking moratorium enacted in S.L. 2021-72 from June 30, 2022, to June 30, 2023, and requires the Local Governmental Employees' Retirement System's (LGERS) Board of Trustees to adopt rules for eligible employers that do not have taxing authority in order to cover a withdrawal liability should they cease participation in the Retirement System.

This act became effective June 30, 2022.

H1056 - Ret. & Treasury Admin. Changes Act of 2022. (SL 2022-14)

S.L. 2022-14 allows a limited exception to the irrevocable election to transfer funds from supplemental plans to the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS); makes changes related to the reporting of inactive employees in the TSERS and LGERS; establishes a default option for employing units that fail to select an option for the transfer of assets when a 403(b) plan is discontinued; clarifies the non-assignability of line of duty death benefits for public safety employees; clarifies the administration of long-term disability benefits; amends the criteria for agreements for property finders to include signature requirements; and to clarifies the Local Government Commission authority as it relates to a request for proposal for a guaranteed energy savings contract that involves a financing agreement.. Except as otherwise provided, the act became effective July 1, 2022.

H1058 - Retirement & Treasury Technical Corrections Act of 2022. (SL 2022-16)

S.L. 2022-16 makes technical and conforming changes to statutes pertaining to the Teachers' and State Employees' Retirement System (TSERS), Local Governmental Employees' Retirement System (LGERS), the Consolidated Judicial System (CJRS), the Separate Insurance Benefits Plan for State and Local

Governmental Law Enforcement Officers, the Achieve a Better Life Experience (ABLE) Program, and the Firefighters' and Rescue Squad Workers' Pension Fund. Specific changes are outlined in the full analysis.

The act became effective July 1, 2022.

State Government

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 11.6: JMAC Program Expansion. (SL 2022-74)

Section 11.6 of S.L. 2022-74 expands eligibility for the Job Maintenance and Capital Development (JMAC) program to include a supply-chain impact manufacturing employer that invests at least \$110 million in private funds and retains at least 420 full-time equivalent employees while transitioning away from coal-based energy products.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 11.11: Megasite Readiness Program. (SL 2022-74)

Section 11.11 of S.L. 2022-74 establishes within the Department of Commerce (Department) the North Carolina Megasite Fund (Fund) to be administered and developed by the Economic Development Partnership of North Carolina (EDPNC). The first \$1 million of the Fund will be used to evaluate locations in the State and determine five megasites best positioned for manufacturing in industries such as aerospace, automotive, clean energy, food processing, and life sciences. The remainder of the Fund will be used as a competitive grant program for local governments to acquire such megasites.

The EDPNC is required to submit an annual report to the Department on or before April 1 of each year documenting the grants awarded, matching funds required, activities needed for the megasites and associated costs, major employers locating to the site, and unallocated grants remaining in the Fund. The Department is required to submit a consolidated version of the EDPNC report by May 1 of each year to the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources, Joint Legislative Economic Development and Global Engagement Oversight Committee, Office of State Budget and Management, and Fiscal Research Division of the General Assembly.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 19E.1: 211 System Collaboration. (SL 2022-74)

Section 19E.1 of S.L. 2022-74 requires the Division of Emergency Management and other responding State agencies to consult with the operating entity of NC 2-1-1 when planning initiatives or programs involving telephonic or text communications to individuals affected by disaster declarations or state of emergency declarations.

This section becomes effective October 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 21.1: Office of Administrative Hearings Staffing Flexibility. (SL 2022-74)

Section 21.1 of S.L. 2022-74 provides the Chief Administrative Law Judge the same authority granted each head of a principal State department. Subject to the State Budget Act and the North Carolina Human Resources Act, the Chief Administrative Law Judge of the Office of Administrative Hearings may do the following:

- Create necessary subordinate positions and appoint and remove employees appointed to those subordinate positions.
- Supervise, direct, and control all employees within the Office of Administrative Hearings.
- Transfer officers and employees within offices as determined necessary by the Chief Administrative Law Judge.
- Change the duties, titles, and compensation of existing offices as determined necessary by the Chief Administrative Law Judge.

This section became effective July 1, 2022.

H103 - 2022 Appropriations Act.

Sec. 23.1: OSBM/Report to Oversight Committee on New Positions. (SL 2022-74)

Section 23.1 of S.L. 2022-74 requires the Office of State Budget and Management to report quarterly to the Joint Legislative Oversight Committee on General Government (Committee) and the Fiscal Research Division of the General Assembly on the number of new positions established by a State agency under the purview of the Committee and approved by the Director of the Budget. Pursuant to G.S. 143C-2-1, the Governor is the Director of the Budget.

The report must include all of the following: (i) the justification for each position established, (ii) the position title and duties of each position, (iii) the salary for each position, and (iv) the source of funds used to establish each position.

This section became effective July 1, 2022.

H177 - Extend Spiking Moratorium/LGERS Surety. (SL 2022-70)

S.L. 2022-70 extends the pension-spiking moratorium enacted in S.L. 2021-72 from June 30, 2022, to June 30, 2023, and requires the Local Governmental Employees' Retirement System's (LGERS) Board of Trustees to adopt rules for eligible employers that do not have taxing authority in order to cover a withdrawal liability should they cease participation in the Retirement System.

This act became effective June 30, 2022.

H219 - Amend Environmental Laws. (SL 2022-43)

S.L. 2022-43 does the following:

- Sets a deadline for reversion for certain directed infrastructure projects.
- Expands the Department of Environmental Quality's (DEQ) authorization for use of river debris funding.
- Makes a technical correction to a Flood Resiliency Blueprint provision.
- Provides the Division of Marine Fisheries flexibility in maintaining its aircraft.
- Aligns Coastal Area Management Act public notice requirements for land-use plan hearings with existing local government notice requirements.
- Directs DEQ to study the express permit and certification review program and the fast-track stormwater permitting program.
- Authorizes DEQ to allow limited wastewater discharges to waters with naturally occurring low dissolved oxygen levels.
- Makes changes to the mining permit notice requirements and appeal deadlines.

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

H332 - State Nature and Historic Preserve Additions/Deletions. (SL 2022-31)

S.L. 2022-31 does the following:

- Accepts certain properties as part of the State Nature and Historic Preserve (Preserve).
- Removes certain properties from the Preserve.
- Makes various conforming and technical changes to the State Nature and Historic Preserve Dedication Act.

This act became effective June 30, 2022.

H619 - Weston's Law. (SL 2022-56)

S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

H776 - Remote Electronic Notarization. (SL 2022-54)

S.L. 2022-54 does the following:

- Allows, effective July 1, 2023, authorized North Carolina notaries to remotely perform electronic notarial acts using real time online communication technology. At the time of the remote electronic notarial act, the notary to the transaction would be required to be physically located in North Carolina and the principal anywhere inside the United States or, in certain circumstances, outside the United States.
- Reauthorizes, effective July 8, 2022, temporary use of the emergency video authorization to perform remote notarizations until June 30, 2023.

H911 - Regulatory Reform Act of 2022.

Sec. 5: State Auditor Technical Change. (SL 2022-75)

Section 5 of S.L. 2022-75 eliminates outdated statutory language in the State Budget Act directing State agencies to register grant programs and recipients with the State Auditor's office.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 7: Sensitive Public Security Information Public Records Changes. (SL 2022-75)

Section 7 of S.L. 2022-75 broadens the public records exemption for detailed plans and drawings of public buildings and infrastructure to include plans and drawings contained in information storage systems or geographic information system (GIS) databases, as well as design information about energy infrastructure.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 9: Exempt Off-Frame Modular Homes from Certain Design Elements Required by the North Carolina Building Code. (SL 2022-75)

Section 9 of S.L. 2022-75 exempts certain modular home designs from certain requirements for roof pitch, eave projection, minimum heights, siding and roofing materials, and foundations found in in the North Carolina Building Code.

This section became effective July 12, 2022.

H1056 - Ret. & Treasury Admin. Changes Act of 2022. (SL 2022-14)

S.L. 2022-14 allows a limited exception to the irrevocable election to transfer funds from supplemental plans to the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS); makes changes related to the reporting of inactive employees in the TSERS and LGERS; establishes a default option for employing units that fail to select an option for the transfer of assets when a 403(b) plan is discontinued; clarifies the non-assignability of line of duty death benefits for public safety employees; clarifies the administration of long-term disability benefits; amends

the criteria for agreements for property finders to include signature requirements; and to clarifies the Local Government Commission authority as it relates to a request for proposal for a guaranteed energy savings contract that involves a financing agreement.. Except as otherwise provided, the act became effective July 1, 2022.

H1058 - Retirement & Treasury Technical Corrections Act of 2022. (SL 2022-16)

S.L. 2022-16 makes technical and conforming changes to statutes pertaining to the Teachers' and State Employees' Retirement System (TSERS), Local Governmental Employees' Retirement System (LGERS), the Consolidated Judicial System (CJRS), the Separate Insurance Benefits Plan for State and Local Governmental Law Enforcement Officers, the Achieve a Better Life Experience (ABLE) Program, and the Firefighters' and Rescue Squad Workers' Pension Fund. Specific changes are outlined in the full analysis.

The act became effective July 1, 2022.

H1068 - UNC Non-Appropriated Capital Projects. (SL 2022-15)

S.L. 2022-15 authorizes the financing and construction of listed capital improvement projects by the constituent institutions of The University of North Carolina. The projects will be financed through revenue bonds, special obligation bonds, and other funds available to the institutions, excluding tuition and appropriations from the General Fund. This act also makes a series of changes related to capital improvement projects included in the 2021 Appropriations Act.

This act became effective June 29, 2022.

S372 - Electrical Licensing/Building Code/Development Reform 2022. (SL 2022-11)

S.L. 2022-11 makes various changes to the electrical licensing, wastewater, Building Code and development laws of the State.

- G.S. 143-151.58(a) as amended by Section 11(b) of this act was subsequently amended by Section 24(a) of S.L. 2022-46.

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

S435 - Terminations of States of Emergency. (SL 2022-57)

S.L. 2022-57 establishes certain notice requirements when prohibitions or restrictions enacted during a local state of emergency expire or terminate, effective July 8, 2022.

Transportation

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 41.10: Exams for Restricted Instruction Permit. (SL 2022-74)

Section 41.10 of S.L. 2022-74 authorizes driver training instructors to administer exams required for issuance of a restricted instruction permit, which a teen must have prior to taking the behind the wheel portion of driver education. Per administrative rule, the exams are currently administered by a Division of Motor Vehicles representative.

This section becomes effective October 1, 2022, and applies to restricted instruction permits issued on or after that date.

H103 - 2022 Appropriations Act.

Sec. 42.3: Use Sales Tax Revenues for Transportation Needs. (SL 2022-74)

Section 42.3 of S.L. 2022-74 transfers a portion of the sales and use tax proceeds, which are otherwise deposited into the General Fund, to the Highway Fund and Highway Trust Fund for transportation needs. The amount transferred ranges from 2%-6% over three years.

This section became effective July 1, 2022.

S201 - Various Motor Vehicle and Transportation Law Changes. (SL 2022-68)

S.L. 2022-68 makes the following changes to motor vehicle and transportation laws:

- Criminalizes as a Class I felony the unlawful possession of a catalytic converter.
- Extends the revocation effective date for permits or licenses that were revoked due to Driving Eligibility Certificate ineligibility from 10 to 30 days after mailing of the revocation notice.
- Authorizes the Division of Motor Vehicles (DMV) to issue three new special registration plates and repeals authorization to issue one existing special registration plate.
- Requires the DMV to provide a dealer license plate registration card to motor vehicle dealers that lists all valid dealer license plates issued to the dealer.
- Clarifies requirements for displaying a dealer license plate on a motor vehicle.
- Clarifies the applicability of the Move Over Law.
- Amends requirements for temporary dealer licenses issued during a pending license renewal application.
- Makes it an infraction with up to a \$50 penalty for a motor vehicle dealer to fail to inspect a used motor vehicle offered for retail sale as required by law.
- Amends requirements for registration and certificate of title applications for motor vehicles owned by firms, partnerships, corporations, or other entities.
- Authorizes the DMV to charge a fee to authorized individuals to verify registration or liability insurance information from motor vehicle and drivers license records.
- Exempts motor vehicles used by State agencies for research pilot or demonstration projects from highway use tax, certificate of title fees, and registration fees.

- Expands the application of certain Department of Transportation (DOT) contracting laws to rail equipment.
- Specifies the treatment of certain federal funds within the Transportation Investment Strategy (STI) formula.
- Provides for a delay in STI reprioritization for certain projects with route redesignations.
- Clarifies the treatment of net proceeds from the disposition of lands that involve DOT.
- Expands the application of the State's policy to encourage and promote participation by disadvantaged minority-owned and women-owned businesses in contracts let by DOT.
- Directs DOT to increase Small Professional Services Firm contracting.
- Increases the project cost cap for previously authorized project delivery method pilot program.

This act became effective July 8, 2022, except as otherwise specified for certain sections. Please see full summary for more detail.

Utilities

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 38.2: Expand GREAT for Wireless Broadband.. (SL 2022-74)

Section 38.2 of S.L. 2022-74 expands the Growing Rural Economies with Access to Technology (GREAT) Program to provide grants to wireless broadband providers for projects designed to extend broadband service to unserved economically distressed area of the State.

This section became effective on July 11, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 7: Sensitive Public Security Information Public Records Changes. (SL 2022-75)

Section 7 of S.L. 2022-75 broadens the public records exemption for detailed plans and drawings of public buildings and infrastructure to include plans and drawings contained in information storage systems or geographic information system (GIS) databases, as well as design information about energy infrastructure.

This section became effective July 12, 2022.

Vetoed Legislation

See full summary documents for additional detail

H49 - Concealed Carry Permit Lapse/Revise Law. (Ratified)

HB 49 would have provided that a concealed carry permittee who allowed the permit to lapse does not have to take another firearms safety and training course upon applying for renewal under certain conditions.

HB 49 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

H823 - Child Advocacy Centers/Share Information. (Ratified)

HB 823 would have established criteria for Children's Advocacy Centers to receive State funds, established certain requirements for the sharing of information and access to records held by Children's Advocacy Centers and multidisciplinary teams, and established immunity from liability for certain circumstances for the multidisciplinary team, individuals and volunteers working for a Children's Advocacy Center.

HB 823 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

S101 - Require Cooperation with ICE 2.0. (Ratified)

SB 101 would have done the following:

- Require that Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE) be queried when an individual charged with certain offenses was in custody and that person's legal residency or United States citizenship status was undetermined.
- Require a judicial official to order that a prisoner subject to a detainer and administrative warrant be held in custody for 48 hours or until ICE resolves the request.
- Create reporting requirements related to ICE queries.

SB 101 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

S593 - Schools for the Deaf and Blind. (Ratified)

SB 593 would have done the following:

- Create a board of trustees for each of the schools for the deaf and blind and provide for governance of those schools by the new boards.
- Establish an admissions process for the schools for the deaf and blind.
- Create a transition process for the schools to governance by the new boards of trustees beginning in 2023-2024.

SB 593 was ratified by the General Assembly on July 1, 2022, and vetoed by the Governor on July 11, 2022.

