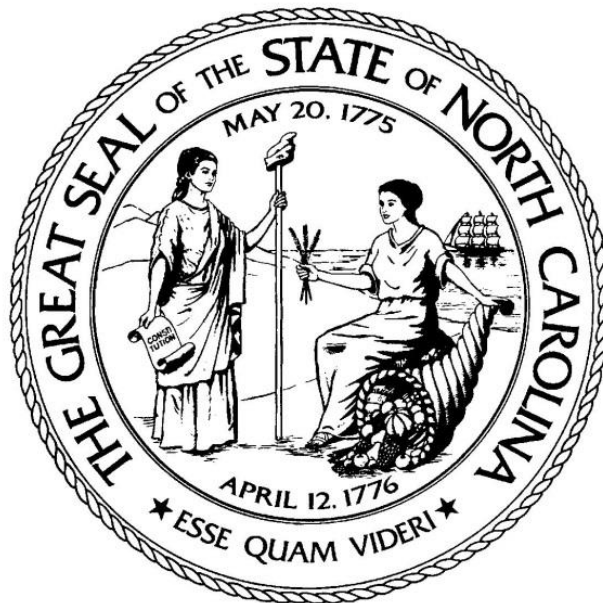


# SUMMARIES OF SUBSTANTIVE RATIFIED LEGISLATION

2024 SESSION



LEGISLATIVE ANALYSIS DIVISION  
N.C. GENERAL ASSEMBLY

# Foreword

This publication provides brief summaries of substantive legislation in public acts enacted during the 2024 Regular Session, including vetoed legislation. Summaries are organized by chapter. For omnibus bills that contain multiple topics, bill sections are summarized individually.

Chapters may be selected and printed as a single document [here](#). Individual summaries for enacted session laws may also be found through the searchable [bill index](#), sortable by session law or bill number. Individual summaries provide links to the full summary text, the final session law, the bill information and history, and any other available summaries created throughout the legislative process.

Please note that information on local acts and substantial explanations of appropriated funds are generally not reflected in these summaries. For information on appropriated funds, see [Legislative Budget Documents](#) prepared by the Fiscal Research Division.

The Legislative Analysis Division is a nonpartisan, central staff agency that serves as professional staff to the members of Senate and House committees and provides legal analysis and research to members of the General Assembly. Summaries are prepared by the nonpartisan legislative staff as a service for legislators and do not constitute an official statement of legislative intent.

# 2024 Summaries of Substantive Ratified Legislation

## Agriculture and Wildlife

See full summary documents for additional detail

### **Clarify that Agriculture Includes Horse Boarding – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 1

Section 1 of S.L. 2024-32 amends various definitions of "agriculture," "agricultural operation," and related terms to clarify that those terms include the boarding of horses.

This section became effective July 3, 2024.

### **North Carolina Sweetpotato Act of 2020 Revisions – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 2

Section 2 of S.L. 2024-32 states explicitly that participation in the trademark program for North Carolina sweetpotatoes, established in 2020, is voluntary. This section also eliminates the North Carolina Sweetpotato Quality and Branding Advisory Council and directs the Board of Agriculture to adopt rules as authorized by the North Carolina Sweetpotato Act in consultation with the North Carolina Sweetpotato Commission.

This section became effective July 3, 2024.

### **Feral Swine Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 3

Section 3 of S.L. 2024-32 eliminates the civil penalty for transporting a live swine without identification and amends the definition of feral swine in the Wildlife Resources Commission (WRC) statutes to include live swine transported without identification. It also amends the criminal penalties related to removal of feral swine from a trap and transportation of feral swine as follows:

- Establishes that removal of feral swine from a trap while the swine is still alive or transportation of feral swine without authorization from WRC are two separate offenses. Specifically, the element involving transportation of feral swine after removal from a trap is deleted, so that any transportation of a feral swine is an offense.

- Increases the penalty for removal of feral swine from a trap while the swine is still alive or transportation of feral swine to a Class 2 misdemeanor punishable by a fine of at least \$1,000 for a first offense and a Class A1 misdemeanor punishable by a fine of not less than \$5,000 or \$500 per feral swine, whichever is greater, for a second or subsequent offense.
- Provides that conviction of a second violation of removal of feral swine from a trap while the swine is still alive or transporting feral swine results in a one-year suspension of a trapping license or any other WRC-issued license or permit applicable to the type of activity in which the person was engaging, and conviction of a third violation results in a permanent revocation.

This section becomes effective December 1, 2024, and applies to offenses committed on or after that date.

### **Direct Agriculture and Forestry Awareness Study Commission to Study Low-Hanging Communications Lines – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 4

Section 4 of S.L. 2024-32 directs the Agriculture and Forestry Awareness Study Commission to study communication lines that fall below minimum height requirements and create a public safety hazard. The Commission must seek input from numerous stakeholders, including the Office of Broadband Infrastructure, electric and telecommunications companies, agricultural organizations, and any other stakeholders the Commission deems necessary. The Commission is directed to report its findings, including recommendations or proposed legislation, prior to the start of the 2025 Regular Session of the General Assembly.

This section became effective July 3, 2024.

### **Shellfish Lease and Franchise Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 5

Section 5(a) of S.L. 2024-32 directs the Marine Fisheries Commission (MFC) to amend its rules on annual production and planting requirements for shellfish leases and franchises no later than July 1, 2024, such that franchises cannot be terminated for failure to meet minimum production requirements, and to implement the rules in that manner until the adopted rule becomes effective.

Section 5(b) of S.L. 2024-32 provides that any application for a shellfish lease on which the Department of Environmental Quality fails to act within 365 days after the applicant has submitted all information required by the rules of the MFC and accurately marked the proposed lease area, is deemed approved.

This section became effective July 3, 2024.

## **Extend Animal Waste Management System General Permits Through September 30, 2026 – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 5.1

Section 5.1 of S.L. 2024-32 extends the expiration date of the Swine, Cattle, Wet Poultry, Swine Digester, Cattle Digester, and Wet Poultry Digester general permits to September 30, 2026, from September 30, 2024. This section also extends the expiration of certificates of coverage issued under those general permits to September 30, 2026.

This section became effective July 3, 2024.

## **Flood Resiliency Blueprint Contract Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 5.2

Section 5.2 of S.L. 2024-32 allows the Department of Environmental Quality (DEQ) to enter into memorandums of understanding with other State agencies for the purpose of conducting stream debris removal throughout the State consistent with the Flood Resiliency Blueprint (Blueprint). Additionally, this section adds the French Broad River basin to the list of targeted river basins in the Blueprint. DEQ can contract with one or more third parties in developing the Blueprint and is exempt from State purchasing and contracting requirements for those contracts.

This section became effective July 3, 2024.

## **Add Compost to Right to Farm/Nuisance Actions Statute – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 5.3

Section 5.3 of S.L. 2024-32 adds "Type I compost facilities" to the definition of "agricultural operation" for the purposes of the right to farm nuisance defense. Type I compost facilities can only receive yard and garden waste, silvicultural waste, and untreated and unpainted wood waste.

This section became effective July 3, 2024, and applies to actions filed on or after that date.

## **Limit Agronomic Soil Testing to In-State Samples – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 6

Section 6 of S.L. 2024-32 limits the provision of soil testing services by the Department of Agriculture and Consumer Services (DACCS) to in-State soil samples only, eliminating any out-of-State soil testing.

This section became effective July 3, 2024.

### **Increased Promotion of New and Emerging Crops – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 7

Section 7 of S.L. 2024-32 authorizes the Department of Agriculture and Consumer Services (DACCS) to use up to the full amount of funds appropriated for the Bioenergy Research Initiative on efforts to advance and promote new and emerging crops, and other research initiatives related to agricultural technologies, up from a previous allowable fund limit of 50%.

This section became effective July 3, 2024.

### **Permanent Prescribed Burn Cost Share Program – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 8

Section 8 of S.L. 2024-32 codifies a new permanent prescribed burn cost share program for the purpose of supporting prescribed burns on privately owned forestlands. Reimbursement rates must set by the Board of Agriculture by rule, in consultation with the Forest Service, but the maximum allowable cost share reimbursement cannot exceed 75% based on program rate per acre caps. The program requires a General Fund appropriation to operate. The Department of Agriculture and Consumer Services is directed to report on implementation of the program by January 15 of each even-numbered year to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division.

This section becomes effective July 1, 2025.

### **Timber Sales/Retention and Use of Proceeds – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 9

Section 9 of S.L. 2024-32 expands the allowable uses of the net proceeds from the sale of timber and other products of land to include: (i) capital improvement projects, (ii) costs incidental to the acquisition of land, such as land appraisals, land surveys, title searches, and environmental studies, and (iii) management of the plant conservation program preserves owned by the Department of Agriculture and Consumer Services.

This section became effective July 3, 2024.

## **Amend Swine and Dairy Assistance Program Eligibility – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 10

Section 10 of S.L. 2024-32 expands the eligible uses of certain swine and dairy assistance program funds administered by the Department of Agriculture and Consumer Services (DACs) to provide assistance to swine producers at a rate of \$70 per head for renovations to convert existing barn space to sow housing. \$70 per head represents approximately 5.4% of the cost of an average sow space, which is the same percentage cost as the \$10 per head for finishing spaces.

This section became effective July 3, 2024.

## **Go Global Endowment – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 11

Section 11 of S.L. 2024-32 provides additional requirements for the use of funds appropriated to the Department of Agriculture and Consumer Services (DACs) by the 2023 Appropriations Act to provide funds to support the Global Teacher Fellowship. This section requires that the funds be used to establish an endowment to provide scholarships for the Global Teacher Fellowship program with a focus on agricultural teachers, and that the fellowship is open to any individual directly associated with the agricultural industry, regardless of connection to education. DACs is required to report to the Joint Legislative Oversight Committee on Agriculture and Natural Resources and Economic Resources and the Joint Legislative Education Oversight Committee annually on the administration of the endowment.

This section became effective July 3, 2024.

## **Prohibit Regulation of Beehives in Municipal ETJs – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 12

Section 12 of S.L. 2024-32 allows city ordinances to regulate beehives only within the incorporated limits of the city, so that properties in the extraterritorial jurisdiction of the city are not subject to any city ordinance regulating beehives. The county ordinance, if one exists, will control.

This section became effective July 3, 2024.

## **Require Disclaimer on Local Government Geographic Information System (GIS) Tools – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 13

Section 13 of S.L. 2024-32 requires counties and cities that offer a geographic information system (GIS) tool to the public to provide a disclaimer notifying the user that the data offered by the tool is provided without warranty and that the user should consult public primary information sources, such as recorded deeds and plats, to verify the accuracy of the data provided. The disclaimer must be displayed prominently on a splash screen or interstitial webpage that the user must affirmatively acknowledge before accessing the tool.

This section becomes effective January 1, 2025.

## **Exempt Agricultural Land from Stormwater Fees – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 14

Section 14 of S.L. 2024-32 prohibits cities and counties from imposing stormwater utility fees for property used for bona fide farm purposes.

This section became effective July 3, 2024, and applies to fees levied on or after that date.

## **Conservation Tax Credit – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 15

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

## **Establish Annual Great Trails State Day – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 16

Section 16 of S.L. 2024-32 designates the third Saturday of October of each year, beginning in 2024, as North Carolina Great Trails State Day. The North Carolina Great Trails State Coalition (Coalition) is designated as the lead organization for recognition of North Carolina Great Trails State Day and is directed to develop a plan to raise awareness of, promote, and implement the first annual North Carolina Great Trails State Day. The Coalition includes 107 members, including nonprofit organizations, local governments, and private companies. The Coalition must report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources no later than September 30, 2024, regarding its plan to raise awareness of and promote the first annual North Carolina Great Trails State Day.

This section became effective July 3, 2024.



## **Amend Composition of the North Carolina Sentinel Landscapes Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 17

Section 17 of S.L. 2024-32 makes the following changes to the North Carolina Sentinel Landscapes Committee:

- Adds two voting members: the Secretary of Transportation or the Secretary's designee, and a representative of the North Carolina Sentinel Landscapes Partnership.
- Adds two nonvoting ex officio members: the Eastern North Carolina Sentinel Landscapes Coordinator and a representative from the United States Department of Defense Readiness and Environmental Protection Integration Program.
- Makes the Commissioner of Agriculture or the Commissioner's designee the permanent chair of the Sentinel Landscapes Committee.

This section became effective July 3, 2024.

## **Add One Member to the Community Conservation Assistance Program Advisory Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 18

Section 18 of S.L. 2024-32 adds the Extension Administrator of the Cooperative Extension Service at North Carolina Agricultural and Technical State University (NC A&T State University) or the Extension Administrator's designee as the sixteenth member of the Community Conservation Assistance Program (CCAP) Advisory Committee.

The CCAP provides cost share funds to reduce the input of nonpoint source pollution into waters of the State. The CCAP Advisory Committee, which currently consists of 15 members, meets quarterly to review the progress of the CCAP.

This section became effective July 3, 2024.

## **Cooperative Extension Technical Changes – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 19

Section 19 of S.L. 2024-32 makes several technical changes to outdated references to North Carolina State University and adds references to the Cooperative Extension Service at North Carolina Agricultural and Technical State University (NC A&T State University). Section 19 also adds a new member to the Structural Pest Control Committee to be appointed by the Dean of the College of Agriculture and Environmental Sciences at NC A&T State University.

This section became effective July 3, 2024.

## **Board of Crop Seed Improvement and Seed Board Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 20

Section 20 of S.L. 2024-32 does all of the following:

- Requires the Board of Crop Seed Improvement to cooperate with North Carolina Agricultural and Technical State University (NC A&T State University) to foster and promote the development and distribution of pure strains of crop seeds among North Carolina farmers.
- Adds two members to the Board of Crop Seed Improvement:
  - Dean of the College of Agriculture and Environmental Sciences at NC A&T State University.
  - Associate Dean of Agriculture Research of the College of Agriculture and Environmental Sciences at NC A&T State University.
- Adds four members to the Seed Board:
  - One appointed upon the recommendation of the Associate Dean of Agriculture Research at NC A&T State University.
  - One appointed upon the recommendation of the Extension Administrator of the North Carolina Cooperative Extension Service, NC A&T State University.
  - Two at-large members appointed by the Commissioner of Agriculture.

This section became effective July 3, 2024.

# Alcoholic Beverage Control

See full summary documents for additional detail

## **Exclude Ready-To-Drink Cocktails From Mixed Beverage Charge – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 1

Section 1 of S.L. 2024-41 (i) creates a definition for premixed cocktails and classifies premixed cocktails sold by mixed beverages permittees as mixed beverages, regardless of whether the premixed cocktails are sold in an open container or a closed container, and (ii) exempts premixed cocktails from the mixed beverages charge and the requirement to affix a mixed beverage tax stamp to those containers when sold to a mixed beverages permittee for resale.

This section became effective July 8, 2024.

## **Allow ABC Commission Members and Staff and Local Board Members, General Managers, and Store Managers to Sample Products – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 2

Section 2 of S.L. 2024-41 allows members and employees of the ABC Commission (Commission) to sample 0.25 ounce samples of spirituous liquor products under consideration for approval for sale in this State. The samples must be provided free of charge and do not constitute a gift. These tastings can occur on property owned by the Commission. This section also allows members of a local board and general managers and store managers of ABC stores to sample 0.25 ounce samples of spirituous liquor products under consideration for approval for sale by the local board. The samples must be provided free of charge and must not constitute a gift. These tastings can occur on property owned by the local board, but cannot be conducted in publicly accessible areas of any ABC store.

This section became effective July 8, 2024.

## **Local ABC Board Flexibility on Certain Holidays – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 3

Section 3 of S.L. 2024-41 allows ABC stores to open on New Year's Day, Fourth of July, and Labor Day, in the discretion of the local ABC board. ABC stores cannot open on a New Year's Day or Fourth of July that falls on a Sunday.

This section became effective July 8, 2024.

## **Raise Cap on Point-Of-Sale Advertising Materials, Product Displays, and Coolers – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 4

Section 4 of S.L. 2024-41 allows industry members to provide up to \$600 worth of retailer advertising specialty items and product displays per brand per year to a retail permittee or \$1,000 worth of retailer advertising specialty items and product displays per brand per year to a local board. This section also allows an industry member to provide branded plug-in coolers to a local board for use in an ABC store up to a value of \$1,500 per brand per year, separate from the \$1,000 allowed for retailer advertising specialty items.

This section became effective July 8, 2024.

## **Allow To-Go and Delivery Sales of Mixed Beverages and Wine by the Glass – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 5

Section 5 of S.L. 2024-41 allows a restaurant, hotel, private club, bar, brewery, winery, or distillery that holds an on-premises unfortified wine permit, on-premises fortified wine permit, or a mixed beverages permit to sell single-serving unfortified wine drinks, single-serving fortified wine drinks, or mixed beverages, respectively, for consumption off the premises, including delivery by either the mixed beverages permittee or a delivery service permittee. A single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage sold for consumption off the premises must be sold with food, and must be packaged in a container not to exceed 24 fluid ounces, with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap. The transportation of a single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage in a motor vehicle is allowed if the container continues to be sealed. The sale of more than two single-serving unfortified wine drinks or fortified wine drinks or one mixed beverage drink at one time is allowed if the mixed beverage drinks are sold for delivery or consumption off the permittee's premises.

No single-serving unfortified wine drink or mixed beverage ordered for off premises consumption can be provided to any person other than the purchaser of the beverage, except that in the case of delivery, the delivery service permittee can provide the beverage to a person other than the purchaser if the permittee verifies that the person is over 21 years of age using age verification software requiring the recipient to provide a form of photo ID.

This section became effective July 8, 2024.

**Allow Mixed Beverage Permittees to Purchase Spirituous Liquor from Any Designated ABC Store in the Same County and Modify Eligibility for Small Towns to Hold Alcohol Elections – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 6

Section 6 of S.L. 2024-41 does all of the following:

- Allows a mixed beverage permittee to purchase spirituous liquor from any ABC board operating in the same county as the permittee. The purchase still must be made at an ABC store the board has designated to serve mixed beverages permittees.
- Allows a city to hold a malt beverage or unfortified wine election if it has a population of at least 400 according to the most recent census.
- Allows a city to hold a mixed beverage election if it has at least 200 registered voters.

This section is retroactively effective November 1, 2022, and applies to elections conducted on or after that date.

**Allow Mixed Beverage Permittees to Cover Mixed Beverage Tax Stamps with Clear Adhesive – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 7

Section 7 of S.L. 2024-41 codifies a prohibition on destroying, altering, or defacing a tax stamp, but clarifies that covering the tax stamp with a clear adhesive is allowed.

This section became effective July 8, 2024.

**Special Purchase Allowance Modification – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 8

Section 8 of S.L. 2024-41 requires the ABC Commission to notify industry members and local boards at least 60 days in advance of the effective date of a retail price reduction for a spirituous liquor product, but the price reduction for local boards may only be effective for the 30 days that the retail price reduction is in effect.

This section became effective July 8, 2024.

**Allow ABC Stores to Sell Value-Added Products, Gift Cards, and Barrels – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 9

Section 9 of S.L. 2024-41 does all of the following:

- Allows ABC stores to sell branded consumer specialty items such as bottle or can openers, cork screws, muddlers, ashtrays, shopping bags, individual can coolers, drinking glasses, clothing, or key chains that are packaged with a spirituous liquor product. A branded consumer specialty item does not include a tobacco, vapor, or hemp product or tobacco, vapor, or hemp paraphernalia.
- Allows the Commission to approve the retail price for a spirituous liquor product packaged by the producer with one or more branded specialty items at a different price than an individual bottle of the same spirituous liquor product. A local board cannot remove a spirituous liquor product packaged by the producer with one or more branded specialty items from the package.
- Allows ABC stores to sell physical or electronic gift cards. Gift cards can be sold online, and electronic gift cards can be delivered digitally to the purchaser. A gift card can be purchased or redeemed only by a customer 21 years of age or older, and can be redeemed at any ABC store operated by the local board from which the gift card was purchased.
- Allows an ABC store to sell empty barrels or parts of barrels received from a distiller in which spirituous liquors were aged, provided that the local board also purchased the spirituous liquor aged in the barrel.

This section became effective July 1, 2024.

### **Allow Local Boards to Sell Products Below the Distiller's Price – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 10

Section 10 of S.L. 2024-41 allows the ABC Commission to authorize a local board to sell spirituous liquors below the price paid by the local board, including the bailment charge and surcharge, upon request from the local board. The Commission must verify that allowing the price reduction would not cause the local board to operate at an annual net loss or, if the local board was already operating at a loss, would not cause the local board to incur additional annual net revenue losses.

This section also allows a distillery to request to be notified if its products are authorized for pricing below the distiller's price pursuant to this section. In that case, the distillery has the right of first refusal to purchase back its products at the reduced price for two days before the retail price is reduced for consumers.

This section became effective July 8, 2024.

### **Amend Eligibility for Alcoholic Beverage Sales on Trains – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 11

Section 11 of S.L. 2024-41 allows malt beverages, unfortified wine, and fortified wine to also be sold and delivered to an officer or agent of a rail line that is at least 100 miles long and connects to the national rail network.

This section became effective on July 8, 2024. However, an identical provision was enacted as Section 23 of S.L. 2024-15, and that section became effective on June 27, 2024, so the substance of this provision has been effective since that date.

### **Allow Sale of Two Mixed Beverages at Spirituous Liquor Special Events – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 12

Section 12 of S.L. 2024-41 allows the holder of a spirituous liquor special event permit to sell two mixed beverages to a customer in a calendar day.

This section became effective July 8, 2024.

### **Transition Period for ABC Permittee Ownership; Safe Harbor and Late Renewal Fees; Clarification Regarding Transfer of a Permitted Establishment to a Trust; and Temporary Permit Changes – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 13

Section 13 of S.L. 2024-41 makes all of the following ABC permitting changes:

- Provides that after 90 days, a temporary permit is deemed to have been issued as a full permit.
- Establishes a safe harbor period lasting until June 1 of each year, during which applicants may renew their permits late for a late fee of 25% of the renewal application fee or registration and inspection fee. The ABC Commission must notify permittees whose renewal fees have not been paid no later than five business days after April 30.
- Provides that it does not constitute a change in ownership resulting in expiration of permits if a person transfers an ownership interest in a permitted establishment to a revocable or irrevocable trust established by the person and the person continues to operate the establishment following the transfer. If the person ceases to operate the establishment, this would constitute a change in ownership and the trustee would be required to notify the Commission within 30 days.
- Clarifies that the transition period after a change in ownership of a permitted establishment allows the new owner to purchase malt beverages, unfortified wine, or fortified wine to be resold for on premises or off premises consumption, or spirituous liquor for use in mixed beverages sold by the establishment, as applicable under the permit.
- Clarifies that Commission must not require any documentation besides the written or electronic notice to satisfy the notice requirement.
- Clarifies that the prior permittee is not liable for any acts or omissions of the new owner of the establishment during the transition period.
- Allows the new owner to submit an affidavit stating that the new owner has applied for local government approvals required for a permit application if the new owner has not

received those approvals within the 60-day period allowed for the new owner to apply for permits.

- Clarifies that the new owner is authorized to operate to the same extent as the predecessor permittee until the Commission either issues or denies the new owner's permit application.
- Provides that withdrawal by the Commission of a pending application by a permittee possessing a temporary permit is effective upon service of notice of the withdrawal, or upon the expiration of five business days after notice of the withdrawal has been mailed to the permittee.
- Provides that revocation of a temporary permit is effective upon the expiration of five business days after notice of the revocation has been mailed to the permittee.

This section became effective July 8, 2024.

### **Make Technical Corrections Related to Bars and Allow Malt Beverages to be Mixed with Other Beverages – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 14

Section 14 of S.L. 2024-41 (i) makes technical corrections to the definition of "bar" enacted in 2022 and (ii) clarifies that an on-premises malt beverages permit allows the retail sale of malt beverages for consumption on the premises, either alone or mixed with other beverages. A similar provision already existed for on-premises unfortified wine permits.

This section became effective July 8, 2024.

### **Establish Malt Beverage Shop Permit – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 15

Section 15 of S.L. 2024-41 creates a malt beverage shop permit with the same privileges as a wine shop permit, except for businesses whose primary purpose is selling malt beverages for consumption off the premises and regularly and customarily educating consumers through tastings, classes, and seminars about the selection, serving, and storing of malt beverages. The permit costs \$100 but the annual renewal fee is \$500.

This section became effective July 8, 2024.

### **Establish Two New Permits and Regulate Alcohol at Adult Live Entertainment Businesses – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 16

Section 16 of S.L. 2024-41 creates two new ABC permits:



- A cotenant permit, with a fee of \$50.00, which can be issued to a restaurant that occupies the same building as another ABC permittee, provided that the building has no other tenants and the building does not have a common area that is open to the public but not part of the premises of one of the two permittees. The permit authorizes the permittee to allow customers to bring open containers of malt beverages, unfortified wine, fortified wine, or mixed beverages from the premises of the other ABC permittee who occupies the same building onto the premises of the permit holder.
- A bring your own beverage permit, with a fee of \$100.00, which can be issued to an adult live entertainment business. This permit authorizes the permittee to allow patrons to bring closed containers of malt beverages and unfortified wine onto the premises and consume the malt beverages and unfortified wine on the premises.

This section also makes it unlawful to consume, or to allow the consumption of, alcoholic beverages at any adult live entertainment business except pursuant to one or more ABC permits allowing the sale or consumption of alcohol.

This section became effective July 1, 2024.

### **Establish Mobile Bar Services Permit – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 17

Section 17 of S.L. 2024-41 creates a mobile bar services permit, with a fee of \$500, that can be issued to a business that provides bartending services for events. The permit authorizes the permittee to bring malt beverages, unfortified wine, fortified wine, and spirituous liquor onto the premises of a business that is not an ABC permittee and to serve the alcoholic beverages to guests at the event.

The permittee can purchase beer and unfortified wine from either a retailer or a beer and wine wholesaler, fortified wine from an ABC store or a wine wholesaler, and spirituous liquor from a designated mixed beverage ABC store operated by any local board operating in the same county where the permittee's principal office is located. The mixed beverage charge of \$20.00 on each four liters of spirituous liquor sold to a mixed beverages permittee also applies to spirituous liquor sold to a mobile bar services permittee. A mobile bar services permittee must also have a recycling plan for recyclable beverage containers of all beverages to be served at an event pursuant to a mobile bar services permit.

A limited special occasion permit is not required for an event at which alcoholic beverages are exclusively provided by the holder of a mobile bar services permit. The permittee can bring alcoholic beverages onto the premises and serve them at an event regardless of whether there is a charge or fee for guests to attend the event.

This permit does not allow the retail sale of individual alcoholic beverages to guests at an event.

This section became effective July 1, 2024.

## **Community Theatre Clarification – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 18

Section 18 of S.L. 2024-41 broadens the definition of "community theatre" for purposes of ABC permitting to include performing arts events besides amateur or professional theatrical events.

This section became effective July 8, 2024.

## **Require Alcohol Law Enforcement to Notify Permit Holder of Violations – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 19

Section 19 of S.L. 2024-41 requires that, if an alcohol law enforcement (ALE) agent or local ABC officer issues a citation to an employee of a permitted establishment who is not the named permit holder, for violations of criminal law or the ABC laws occurring on the premises, the agent or officer must notify the permit holder by certified mail or electronic means within five business days. If the ABC Commission receives a report from a law enforcement agency other than the ALE Division or a local ABC officer documenting violations occurring at a permitted establishment, the Commission must notify the permittee of the report within five business days.

This section became effective September 1, 2024, and applies to violations occurring on or after that date.

## **Establish Distillery Estate Districts – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 20

Section 20 of S.L. 2024-41 defines a "distillery estate district" to mean a tract of real property or multiple contiguous or adjacent tracts of real property, separated only by a river, lake, or public or private road, on which a distillery, a winery, and at least three other establishments holding mixed beverages permits are located. Each of the permitted establishments must be under common ownership and control.

A mixed beverages permittee located in a distillery estate district that is under common ownership and control with the distillery may sell spirituous liquor produced at the distillery located in the distillery estate district in mixed beverages as if it were being sold at the distillery, and the spirituous liquor is not required to pass through the State warehouse.

A distillery located in the distillery estate district may conduct consumer tastings of spirituous liquor produced at the distillery anywhere in the distillery estate district.

On- and off-premises unfortified wine permittees located in the distillery estate district that are under common ownership and control with the distillery may also sell bottles of spirituous liquor produced at the distillery at retail for consumption off the premises as if those bottles were being sold in the distillery following a tour.

This section became effective July 1, 2024.

### **Wholesaler Distribution Centers – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 21

Section 21 of S.L. 2024-41 allows the holder of a wine importer, malt beverage importer, or spirituous liquor importer/bottler permit to receive wine, malt beverages, or spirituous liquor, respectively, into the State for storage, sale, shipment, or transshipment to entities in other states or nations, or to the State warehouse.

This section became effective July 8, 2024.

### **Establish Catawba Indian Nation Tribal Alcoholic Beverage Control Commission – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 22

Section 22 of S.L. 2024-41 authorizes the Catawba Indian Nation to operate a tribal ABC commission and regulate alcoholic beverages on its tribal lands in North Carolina to the same extent as the Eastern Band of Cherokee Indians may do on its tribal lands.

This section became effective July 8, 2024.

### **Cap the Tax on Qualifying Spirituous Liquor Purchases – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 23

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

### **Direct ABC Commission to Expand Premises to Cover Certain Contiguous Properties – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 24

Section 24 of S.L. 2024-41 directs the ABC Commission to treat multiple parcels with different addresses as a single premises if the parcels meet all the following conditions:

- Each parcel is connected to one or more other parcels such that the parcels share a single perimeter.
- The parcels are under common ownership or control, as evidenced by deed, lease, or management agreement.
- Access between the buildings on the parcels is available to customers without requiring customers to enter the public street or sidewalk.

This section became effective July 8, 2024.

### **Authorize Home Maker Organizations to Give Samples at Events – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 25

Section 25 of S.L. 2024-41 establishes a home maker special event permit, with a fee of \$50, that may be issued to a home maker club devoted to the home production of malt beverages or wine. The club must have a general liability insurance policy in the amount of at least \$1 million in order to qualify for a permit.

The permit authorizes the home maker club to offer free tastings of homemade malt beverages and wines on the premises of retail ABC establishments, at shopping malls, and at events such as trade shows, conventions, and street festivals. There are several limitations on consumer tastings of homemade products, including:

- The permit holder must provide the Commission a list of homemade products to be offered at the consumer tastings at least 24 hours before the start of the consumer tasting event. For a consumer tasting occurring on the premises of a retail ABC permittee, the home maker club must also provide this list to the permittee.
- Homemade products must be labeled with the maker's name and telephone number, the alcohol by volume, and the statement "Homemade product for consumer tasting."
- Each consumer is limited to six tasting samples containing one ounce of any homemade product made available for sampling at the consumer tasting, and the total amount of the tasting samples offered to and consumed by each consumer must not exceed six ounces in any calendar day.
- The permit holder or members of the permitted home maker club must not charge a consumer for any tasting sample or for entry to the consumer tasting.
- Each consumer participating in a consumer tasting must provide his or her name, telephone number, email address, and the date of the consumer tasting.

This section becomes effective October 1, 2024.

### **Allow Private Club Franchises to Receive ABC Permits Immediately if Franchisor Has Been in Operation for at Least 12 Months – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 26

Section 26 of S.L. 2024-41 allows an establishment that (i) qualifies under Section 501(c) of the Internal Revenue Code and (ii) is a franchisee of a franchisor that is permitted as a private club that has been in operation for 12 months, to receive an ABC permit without having been in operation for 12 months itself.

This section became effective July 8, 2024, and applies to applications for permits received by the Commission on or after that date.

### **Common Area Entertainment Permit Clarifying Change – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 27

Section 27 of S.L. 2024-41 clarifies that a single designated consumption area designated by the holder of a common area entertainment permit may include both indoor and outdoor common areas, such that a patron could carry an alcoholic beverage from the indoor common area to the outdoor common area or vice versa.

This section became effective July 8, 2024.

### **Allow 90 Days for Alcohol Seller/Server Training Providers to Update Courses – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 28

Section 28 of S.L. 2024-41 gives ABC Commission-approved providers of alcohol seller/server training 90 days to update their course content, rather than 30 days, when the Commission provides notice that changes to the training curriculum are needed to reflect changes in current ABC laws or rules.

This section became effective July 8, 2024.

### **Allow Sale of Beer and Wine at Community College Sporting Events – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 29

Section 29 of S.L. 2024-41 allows community colleges to be included in the definition of "public college or university," for purposes of ABC permitting, which will allow the sale of beer and wine at community college stadiums, athletic facilities, or arenas. This section also repeals a provision that narrowly allows the sale of alcoholic beverages at certain community colleges during professional sporting events, because those sales will be allowed under this more general provision.

This section became effective July 8, 2024.

### **Allow a Local Board to Contract with a Third-Party Vendor to Transport Spirituous Liquor from the Board's Warehouse to the Board's ABC Stores – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 30

Section 30 of S.L. 2024-41 allows a local board to contract with an independent contractor to provide delivery of its spirituous liquor from the local board's warehouse to its ABC stores, provided the contract meets several terms specified in this section. This section also defines the term "contract carrier" and directs the Commission to amend its rules to replace the term "motor vehicle carrier" with "contract carrier" and, in the Commission's discretion, further define the term "contract carrier."

This section became effective July 8, 2024.

### **Allow Possession and Consumption of Alcoholic Beverages in the Security-Screened Area of Airports – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 31

Section 31 of S.L. 2024-41 allows the consumption of malt beverages, unfortified wine, fortified wine, and mixed beverages sold by a permitted establishment throughout the Transportation Security Administration-screened portion of the establishment's respective airport terminal. A beverage sold for consumption throughout the airport terminal must be served in a container that is not made of glass, does not hold more than 16 fluid ounces, and displays the statement "Drink Responsibly – Be 21." This section applies only to airports that service airplanes boarding at least 150,000 passengers annually.

This section became effective July 8, 2024.

### **Modify Trade Practice Laws – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 32

Section 32 of S.L. 2024-41 makes it unlawful for a manufacturer, bottler, or wholesaler of alcoholic beverages to provide draft line cleaning services to an alcoholic beverage retailer unless the retailer pays the fair market value for such services.

This section becomes effective January 1, 2025.

## **Amend the Definition of "Sports Club" to Include Pickleball – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 33

Section 33 of S.L. 2024-41 allows an establishment to qualify as a sports club for purposes of ABC permitting if, rather than an 18-hole golf course or two or more tennis courts, the establishment is in the business of providing four or more pickleball courts.

This section became effective July 8, 2024.

## **Permanently Allow Fifteen-Year-Olds to Work in ABC-Permitted Establishments – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 34

Section 34 of S.L. 2024-41 permanently allows 15-year-olds to work inside an ABC permitted premises that allows on-premises consumption. They cannot work in a role involving the preparation, serving, dispensing, or sale of alcoholic beverages, except for sale of alcoholic beverages at the point-of-sale for only off-premises consumption.

This section became effective July 8, 2024.

## **Clarify Due Date of Returns/Tax and Clarify When Excise Taxes for Alcoholic Beverages Must Be Paid – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 35

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

## **Cigar Bar Amendments – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 36

Section 36 of S.L. 2024-41 clarifies that the ABC Commission cannot consider whether a cigar bar may allow smoking indoors in deciding whether to issue an ABC permit to the cigar bar. Additionally, this section revises where cigar bars can be located as follows:

- A cigar bar that serves prepared food must be in a freestanding structure occupied solely by the cigar bar and smoke from the cigar bar does not migrate into an enclosed area where smoking is prohibited.
- A cigar bar that does not serve prepared food is not required to be in a freestanding structure occupied solely by the cigar bar, provided smoke from the cigar bar does not migrate into an enclosed area where smoking is prohibited, whether or not located in the same structure.

This section became effective July 8, 2024.

**Allow ATMs in ABC Stores – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 37

Section 37 of S.L. 2024-41 allows local boards to contract with a third party to make an ATM available in one or more of the board's ABC stores and allows the ABC stores to make the ATM available to customers if approved by the local board.

This section became effective July 8, 2024.



# Children and Families

**See full summary documents for additional detail**

## **Various Court Changes.**

SL 2024-33 (S303)

[For a detailed summary of the provisions of this act, please see the COURTS, JUSTICE, AND CORRECTIONS subject area.]

# Civil Law and Procedure

See full summary documents for additional detail

## Summary Ejectment and Small Claims Action Changes – Tenancy in Common/E-Notary/Small Claims Changes.

SL 2024-47 (H556), Secs. 8-9

Sections 8 and 9 of S.L. 2024-47 do the following:

- Clarify authorized litigation costs in summary ejectment matters.
- Provide that judgment in a small claim action can be rendered electronically by the magistrate.
- Begin the appeal period in a small claim action when a judgment is rendered by the magistrate.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Section 8 of this act became effective September 9, 2024, and the amendments contained in this section are intended to be clarifying of the General Assembly's intent under previous amendments to this statute. Section 9 of this act becomes effective October 1, 2024, and applies to judgments rendered on or after that date.

# Commercial Law and Consumer Protection

See full summary documents for additional detail

## **Predatory Roofing/Insurance Rebate Reform.**

SL 2024-11 (S124)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

## **C-PACE Program.**

SL 2024-44 (S802)

S.L. 2024-44:

- Establishes the commercial property assessed capital expenditure program (C-PACE Program), to be administered by the Economic Development Partnership of North Carolina (EDPNC) under the supervision of the Department of Commerce, providing a procedure by which owners of qualifying commercial property can apply to EDPNC for long-term financing to be provided by private lenders that will pay for property improvements that include energy efficiency, water conservation, renewable energy, and resilience measures, with repayment of the financed amount secured by a lien upon the improved property.
- Modifies the criteria under which an employee stock ownership (ESOP) company can qualify as a minority business or an historically underutilized business for purposes of public contract provisions in Chapter 143 of the General Statutes.
- Requires the Department of Environmental Quality and the Environmental Management Commission, no later than August 1, 2024, to develop and submit draft rules to the United States Environmental Protection Agency (USEPA) for USEPA's approval that establish methodologies and permitting requirements for the discharge of low-risk treated domestic wastewaters following site specific criteria to surface waters of the State.

The provisions regarding development of rules for wastewater discharge became effective July 8, 2024. The remainder of the act became effective July 1, 2024.

## **Prohibit the Acquisition of Quartz Mining Operations and Lands Containing High Purity Quartz by Foreign Governments Designated as Adversarial by the United States Department of Commerce – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 10

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

## **Delay Sunset for Certain Design-Build Contracts Using Federal Funds – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 21

Section 21 of S.L. 2024-45 extends the sunset for local governments to enter certain design-build contracts using federal funds until December 31, 2027.

This section of the act became effective July 9, 2024.

## **Allow a Seller of a Manufactured Sign to Repossess the Sign if the Buyer Fails to Pay – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 23.5

Section 23.5 of S.L. 2024-45 allows a seller to repossess a manufactured sign, even if the sign is affixed to real property, if the buyer fails to pay in violation of the contract with the seller and the seller does not breach the peace when repossessing the sign.

This section of the act becomes effective October 1, 2024.

## **Require Transparency in Sale or Resale of Entertainment Event Tickets – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 24

Section 24 of S.L. 2024-45 requires a secondary ticket exchange, ticket issuer, or reseller to meet certain requirements when listing a ticket for sale or resale.

This section becomes effective January 1, 2025, and applies to tickets listed for sale or resale on or after that date.

## **Eliminate Connect NC Bond Report – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 32

Section 32 of S.L. 2024-45 eliminates the Connect NC Bond reporting requirement.

This section of the act became effective July 9, 2024.

## **No Central Bank Digital Currency Payments to the State.**

SL 2024-48 (H690)

S.L. 2024-48 prohibits a State agency or the General Court of Justice from accepting a payment using central bank digital currency, or from participating in any test of central bank digital currency by any Federal Reserve branch.

This bill was vetoed by the Governor on July 5, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This act became effective September 9, 2024.

# Constitution and Elections

See full summary documents for additional detail

## **Various Criminal and Election Law Changes.**

SL 2024-16 (H237)

Section 5 of S.L. 2024-16, effective June 27, 2024, and applicable to contributions made or received on or after that date, restructures the reporting requirements for contributions made to candidate campaign committees and political committees in North Carolina by federal political committees and other political organizations. This bill was vetoed by the Governor on June 21, 2024, and the veto was overridden by the General Assembly on June 27, 2024.

## **Constitutional Amendment/Citizens-Only Voting.**

SL 2024-18 (H1074)

S.L. 2024-18 places a proposed amendment to the North Carolina Constitution revising the language regarding citizenship and the eligibility to vote on the November 5, 2024, ballot. If approved by the voters in that election, the amendment to the North Carolina Constitution will become effective upon certification of the results of the referendum.

## **SHALOM (Standing Up to Hate and Leading with Our Moral Principles) Act.**

SL 2024-27 (H942)

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

## **Residency Districts for Certain Sanitary Boards – Various General Local Laws.**

SL 2024-38 (H593), Sec. 2

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

## **Allow Mixed Beverage Permittees to Purchase Spirituous Liquor from Any Designated ABC Store in the Same County and Modify Eligibility for Small Towns to Hold Alcohol Elections – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 6

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

# Courts, Justice, and Corrections

See full summary documents for additional detail

## **Require Sheriffs to Cooperate with ICE – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 9.1

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **Various Court Changes.**

SL 2024-33 (S303)

S.L. 2024-33 makes various changes and technical corrections to the laws governing various aspects of the courts, including the following:

- Clarifies clerk retention of an adoption petition does not have to be the original petition.
- Removes the restriction that prevented filing briefs and memoranda with the clerk unless ordered by the court.
- Establishes venue in Wake County for business court cases, but retains trials in the county of origin. This provision becomes effective when the North Carolina Business Court implements an electronic filing system.
- Authorizes clerks of court to set conditions of pretrial release under the same circumstances as magistrates. This provision becomes effective, and applies to defendants arrested on or after, October 1, 2024.
- Establishes a safe babies court to hear certain juvenile abuse, neglect, and dependency matters.
- Authorizes the Supreme Court to hold sessions in any location across the State until December 31, 2026.
- Allows respondent's attorney and certain judges access to involuntary commitment court files, and authorizes certain persons to obtain an involuntary commitment court file number for specific purposes.
- Authorizes persons with 8 years of experience as a law enforcement officer in this State to be appointed as a magistrate.
- Changes the number of the license plate issued to the Director of the Administrative Office of the Courts to J-99.
- Authorizes grandparents to intervene in a child abuse, neglect, or dependency case if the parents are deceased.
- Makes various other technical changes and corrections to statutes relating to the courts.

This act became effective July 8, 2024. Except as otherwise noted, the provisions of this act became effective on that date.

### **Revise Automatic Expunction.**

SL 2024-35 (S565)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Summary Ejectment and Small Claims Action Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Secs. 8-9

[For a detailed summary of the provisions of this act, please see the CIVIL LAW AND PROCEDURE subject area.]

### **Recording of Court-Filed Documents.**

Ratified (S445)

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]



# **Criminal Law and Procedure**

**See full summary documents for additional detail**

## **Require Sheriffs to Cooperate with ICE – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 9.1

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **Predatory Roofing/Insurance Rebate Reform.**

SL 2024-11 (S124)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

## **Mask Exemption Modifications – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 1

Section 1 of S.L. 2024-16 modifies the health and safety exemption from certain laws prohibiting the wearing of certain face coverings in public.

This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

Section 1 of S.L. 2024-16 became effective June 27, 2024, and applies to offenses committed on or after that date.

## **Enhance Punishment if the Defendant was Wearing a Mask – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 2

Section 2 of S.L. 2024-16 enhances the criminal punishment if a defendant wears a mask to conceal the defendant's identity during the commission of another crime.

This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

Section 2 of S.L. 2024-16 became effective June 27, 2024, and applies to offenses committed on or after that date.

## **Increase Penalty for Impeding Road During a Demonstration – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 4

Section 4 of S.L. 2024-16 imposes criminal and civil liability on individuals who obstruct emergency vehicles during demonstrations.

This bill was vetoed by the Governor on June 21, 2024, and that veto was overridden by the General Assembly on June 27, 2024.

Section 4 of S.L. 2024-16 becomes effective December 1, 2024, and applies to offenses committed and causes of action arising on or after that date.

## **Juvenile Justice Modifications.**

SL 2024-17 (H834)

S.L. 2024-17 does the following:

- Modifies the definition of "delinquent juvenile" related to juveniles who are 16 and 17 years old to exclude any offense punishable as a Class A, B1, B2, C, D, or E felony if committed by an adult.
- Modifies the transfer process for juvenile cases from juvenile to superior court by creating a new indictment return appearance.
- Modifies certain laws to create a new process for removal of a case from superior court to juvenile court.
- Modifies the laws regarding notification of a delinquent juvenile's school and how the school can use that information.
- Changes the timing requirement for subsequent secured custody hearings for juveniles.
- Makes technical changes and a modification to certain dispositional alternatives.
- Increases the punishment for an adult who solicits a minor to commit a crime.
- Modifies the number of days the complainant and the victim have to request a review by the prosecutor of the juvenile court counselor's decision not to approve the filing of a petition.

This bill was vetoed by the Governor on June 14, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This act has various effective dates. Please see the full summary for more detail.

## **Revise Money Laundering/Retail Crime.**

SL 2024-22 (H495)

S.L. 2024-22 does the following:

- Creates a state criminal offense of "money laundering."

- Makes certain changes to the laws related to retail theft, specifically by modifying the laws related to manipulating price tags on retail items.

This act becomes effective December 1, 2024, and apply to offenses committed on or after that date.

## **Human Trafficking Changes.**

SL 2024-26 (H971)

S.L. 2024-26 does the following:

- Directs the Department of Labor to develop human trafficking awareness training.
- Requires certain employees and third-party contractors of lodging establishments and vacation rentals to complete human trafficking awareness training.
- Increases the penalty for a first offense of soliciting another for prostitution.
- Allows victims and alleged victims of human trafficking crimes to move for victim confidentiality in criminal proceedings.
- Requires any person initiating a child custody proceeding to disclose certain criminal convictions and history of child custody proceedings.
- Generally prohibits viewing of pornography by employees on government networks and devices, including those of public agencies, the judicial branch, and the legislative branch.
- Directs the Division of Social Services, Department of Health and Human Services, to expand, further develop, and implement human trafficking awareness trainings.
- Provides Criminal Justice Law Enforcement Automated Data Services (CJLEADS) access to campus police.
- Establishes that documentation compiled by the Housing Finance Agency for the purposes of financing housing for victims of domestic violence, sexual assault, and human trafficking are not public records.
- Modifies the definition of victim in the Crime Victim's Compensation Act.

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

## **Regulate Tobacco Products – Certain CIHS Partners/Regulate Tobacco Products.**

SL 2024-31 (H900), Sec. 2

Section 2 of S.L. 2024-31 creates a new regulatory system for the certification of consumable products and vapor products, including the creation of a public directory of these certified products, and provides enforcement mechanisms for violations of this new regulatory system.

Section 2 of S.L. 2024-31 becomes effective December 1, 2024.

## **Revise Automatic Expunction.**

SL 2024-35 (S565)

S.L. 2024-35 revises the laws governing the automatic expunction of records and the availability of expunged records as follows:

- Provides that automatic expunctions will occur not less than 180 days and not more than 210 days after the final disposition of the charge eligible for automatic expunction.
- Requires that expunged court records be confidential and retained by the clerks of superior court, retained electronically and made available to the clerks, and that they not be released by the clerk except to certain persons.
- Authorizes prosecutors to have access to all confidential files of expunction.
- Extends the period of time the Administrative Office of the Courts (AOC) has to complete suspended automatic expunctions to 365 days, and provides those expunctions are deemed to have occurred five business days after the expunction is carried out.

This act became effective July 8, 2024.

## **Modernize Sex Crimes.**

SL 2024-37 (H591)

S.L. 2024-37 does the following:

- Creates a new offense for sexual extortion and aggravated sexual extortion.
- Modifies the offenses of first-, second-, and third-degree sexual exploitation of a minor to include material that is modified by technological means and to include child sex dolls.
- Creates a new offense for an obscene visual representation of a minor engaging in sexual activity.
- Modifies the offense of solicitation of a child by computer to include communications with parents of minors.
- Makes conforming changes to the sex offender and public protection registration program statutes.
- Makes changes to the offense of disclosure of private images to clarify that altered images violate the prohibition against disclosure of certain private images.

This act becomes effective December 1, 2024, and applies to offenses committed on or after that date.

## **Limited Driving Privileges/ Restoration of License Modifications – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 2

Section 2 of S.L. 2024-43 makes modifications related to limited driving privileges and ignition interlock system violations as follows:

- Authorizes a person with not more than one previous offense involving impaired driving within the preceding seven years to obtain a limited driving privilege if certain criteria are met.
- Amends provisions regarding violation of ignition interlock requirements to provide that a violation within the last 90 days of the requirement results in extension of the requirement for 90 days or until the person has been violation free for 90 days.

Section 2 of S.L. 2024-43 becomes effective December 1, 2024, and applies to limited driving privileges issued on or after that date and drivers licenses revoked on or after that date.

### **Add Tianeptine to Schedule II – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 6

Section 6 of S.L. 2024-43 adds tianeptine to Schedule II of the Controlled Substances Act, therefore making tianeptine a controlled substance under North Carolina law and creating criminal penalties for the unlawful manufacture, sale, distribution, or possession of tianeptine.

Section 6 of S.L. 2024-43 becomes effective December 1, 2024, and applies to offenses committed on or after that date.

### **Increase Penalty Property Crimes Against Critical Infrastructure – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 9

Section 9 of S.L. 2024-45 increases the penalties for property crimes committed against critical infrastructure and makes conforming changes to existing statutes as follows:

- Amends the statute governing contamination of a public water system to include injury to the system, include wastewater treatment facilities, require a \$250,000 fine, and authorize civil recovery by any person injured by reason of damage to a public water system or wastewater treatment facility.
- Increases the punishment for injury to property of a public utility from a Class 1 misdemeanor to a Class C felony and authorizes civil recovery by any person injured by reason of damage to a public utility.
- Creates a Class C felony, including a required \$250,000 fine, for injuring a manufacturing facility and authorizes civil recovery by any person whose property or person is injured by reason of violation of this offense.

This section becomes effective December 1, 2024, and applies to offenses committed on or after that date.

# Education

See full summary documents for additional detail

## **Corrections Pertaining to the University of North Carolina Health Care System and East Carolina University – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 1.7

[For a detailed summary of the provisions of this act, please see the HEALTH AND HUMAN SERVICES subject area.]

## **Reinstate Reporting Requirement for Transportation Reserve Fund for Homeless and Foster Children – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.4

Section 2.4 of S.L. 2024-1 requires the Department of Public Instruction (DPI) to report annually by March 15 to the Joint Legislative Education Oversight Committee on the use of funds appropriated to the Transportation Reserve Fund for Homeless and Foster Children (Fund). The Fund is the source of funds for a grant program covering extraordinary school transportation costs for homeless and foster students. The annual report must include information on the amount applied for and received by each local school administrative unit, as well as how the funds were spent.

This section became effective July 1, 2023.

## **School Resource Officers in Nonpublic Schools – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.8A

Section 2.8A of S.L. 2024-1 makes various clarifications regarding school resource officers. It does the following:

- Requires that initial and in-service educational and training standards for school resource officers be established by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission, in consultation with the Center for Safer Schools and the Department of Health and Human Services.
- Defines "school" as a public school within a public school unit or nonpublic school as defined in Article 39 of Chapter 115C of the General Statutes.
- Defines "school resource officer" as any law enforcement officer assigned to one or more schools at least 20 hours per week for more than 12 weeks per calendar year, to assist with all of the following:
  - School safety and security.

- Emergency preparedness and response.
- Any additional responsibilities related to school safety or security assigned by the officer's employer while the officer is acting as a school resource officer.
- Mandates that all school resource officers must comply with the training requirements.

The section further provides that police chiefs of municipalities and sheriffs of counties can enter into agreements to provide school resource officers to schools. If the agreement is with a nonpublic school, the nonpublic school must provide funds at least equal to the compensation, benefits, and related expenses of any school resource officer assigned to the school. The governing board receiving funds from a nonpublic school pursuant to such an agreement must appropriate the funds to the police chief or sheriff for school resource officers.

This section became effective May 15, 2024, and applies to agreements entered into or renewed on or after that date.

### **Educational Opportunities Program – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.8B

Section 2.8B of S.L. 2024-1 amends the requirements for participation in the College of Educational Opportunities Program (Program) established by the Board of Governors of The University of North Carolina for students with intellectual and developmental disabilities. This section lowers the age to be eligible to participate in the Program from 22 to 18 years old beginning with the 2024-2025 fiscal year. Admissions priority will be given to students who are at least 22 years old.

This section also allows funds remaining at the end of the 2023-2024 fiscal year to remain available until the end of the 2024-2025 fiscal year.

This section became effective July 1, 2023.

### **Revise Career Development Plan Requirements – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.8C

Section 2.8C of S.L. 2024-1 modifies the career development plan requirements for middle and high school students by requiring students to have plans before being promoted from eighth grade, instead of before being promoted from seventh grade. High school students who have not already completed a career development plan must complete one within 90 days of enrollment in high school.

This section became effective July 1, 2024, and applies beginning with the 2024-2025 school year.

## **Clarify Forgiveness Criteria for Teaching Fellows Program – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.14

Section 2.14 of S.L. 2024-1 clarifies that a "qualifying teacher" for the North Carolina Teaching Fellows Program includes an individual who serves as a teacher in a qualifying licensure area.

This section became effective July 1, 2023, and applies to applications for the award of funds beginning in the 2024-2025 academic year.

## **Conform Need-Based Scholarship with Federal Law – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.16

Section 2.16 of S.L. 2024-1 removes references to "expected family contribution" in the eligibility requirements for a need-based scholarship at an eligible private postsecondary institution and instead requires that students meet the metric for demonstrated need as outlined in Title IV of the federal Higher Education Act of 1965.

This section became effective May 15, 2024, and applies beginning with scholarship awards for the 2024-2025 academic year.

## **Statutory Changes for Department of Public Instruction Funding in Arrears – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 6.2

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **Retroactive Payments for Scholarship Funds – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 6.5A

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]



**Allow SEAA to Use Administrative Funds from Opportunity Scholarships for Personal Education Student Accounts – Adjustments to the 2023 Appropriations Act.**

SL 2024-40 (S357), Sec. 4

Section 4 of S.L. 2024-40 increases the maximum amount of funding from \$2 million to \$3 million for Personal Education Student Accounts (PESAs), which provide scholarships for students with disabilities, that the State Education Assistance Authority (SEAA) can retain for administrative expenses. SEAA can now retain either 4% of the funds appropriated for PESAs or \$3 million, whichever is lesser. Additionally, if SEAA does not use all of the funds it is authorized to reserve for the administration of the Opportunity Scholarships Program, it can use those funds to cover any additional administrative costs of the PESAs beyond the \$3 million.

This section became effective July 8, 2024.

**Conform In-State Tuition Requirements to Federal Law – Adjustments to the 2023 Appropriations Act.**

SL 2024-40 (S357), Sec. 5

Section 5 of S.L. 2024-40 conforms to federal law by requiring any citizen of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau who is not a resident of North Carolina to be eligible to be charged in-State tuition.

This section became effective July 1, 2024, and applies beginning with the 2024-2025 academic year.

**Allow Sale of Beer and Wine at Community College Sporting Events – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 29

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

**Charter Schools/Pension/Employee Stock Ownership Plan.**

SL 2024-42 (S559)

[For a detailed summary of the provisions of this act, please see the RETIREMENT subject area.]

## **Allow School Boards to Use Eminent Domain for Easements – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 5

Section 5 of S.L. 2024-43 authorizes local boards of education to use eminent domain to acquire property for utility easements necessary to support school facilities. Utility easements include easements for water, sanitary sewer, electric power, broadband, and telecommunication services.

This section became effective July 1, 2024.

# Environment, Natural Resources, and Energy

See full summary documents for additional detail

## **Repeal Change to Definition of Solid Waste – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 1.5

Section 1.5 of S.L. 2024-1 repeals language enacted in 2023 that would have exempted the term "auxiliary container" from the definition of "solid waste" in the statutes governing the management of solid waste. As defined in the statutes, the term "auxiliary container" means "[a] bag, cup, package, container, bottle, device, or other packaging made of cloth, paper, plastic, foamed plastic, fiber, expanded plastic, cardboard, corrugated material, aluminum, glass, post-consumer recycled material, or similar coated or laminated material that is designed for the consumption, transportation, or protection of merchandise, food, or beverage at a food service facility, manufacturing facility, distribution facility, processing facility, or retail facility."

This section became effective retroactively to July 1, 2023.

## **Clarify Changes to On-Site Wastewater Statutes – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.9

Section 3.9 of S.L. 2024-1 makes various corrections to the changes in the on-site wastewater statutes made by S.L. 2023-90, including clarifying the responsibilities of the system owner, eliminating a redundant reference to a fee, requiring local health departments to notify inspections departments within two days of receiving required documentation for alternative on-site wastewater approvals, and restoring contracting language to its pre-S.L. 2023-90 status.

This section is effective retroactively to July 10, 2023.

## **Clarify Modification of the Floodplain Regulation Statutes to Deem Certain Airport Projects Permitted as Enacted in Session Law 2023-137 – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 4.7

Section 4.7 of S.L. 2024-1: (i) repeals legislation enacted in 2023 that required the Department of Public Safety (DPS) to grant, in certain circumstances, a permit for the use of an eligible flood hazard area in connection with an airport project for which an airport authority received a no-rise certificate for the project; and (ii) in lieu, modifies the floodplain regulation statutes to provide that an airport project is deemed permitted for use of an eligible flood hazard area if the applicable airport authority has received a no-rise certificate for that airport project, and the no-rise certificate has been accepted by DPS.

This section became effective retroactively to October 10, 2023.

### **Aquatic Weed Program Changes – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 4.12

Section 4.12 of S.L. 2024-1 expands the allowable uses of the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund to include aquatic weed control projects in State waters that address cyanobacteria causing harmful algal blooms or producing cyanotoxins or other aquatic vegetation not otherwise covered by an allowable use, if the vegetation obstructs public water access or access by watercraft to public watercraft launch or docking areas.

This section became effective July 1, 2023.

### **Pre-Permitting Activities Amendment – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 4.13

Section 4.13 of S.L. 2024-1 amends Section 12.11 of S.L. 2023-134, which made several changes to statutes governing air quality permitting, to: (i) require the Department of Environmental Quality (DEQ), no later than July 1, 2025, to prepare and submit to the United States Environmental Protection Agency (USEPA) for approval by that agency a proposed North Carolina State Implementation Plan amendment based on the changes to the air permitting program set forth in Section 12.11 of S.L. 2023-134; and (ii) provide that the changes set forth in Section 12.11 of S.L. 2023-134 become effective on the first day of a month that is 60 days after the Secretary of Environmental Quality certifies to the Revisor of Statutes that the USEPA has approved the amendment to the North Carolina State Implementation Plan submitted by DEQ. The Secretary must provide this notice along with the effective date of the provision on DEQ's website and by written or electronic notice to current holders of air permits issued by DEQ. Once effective, the section applies to applications for new air permits and for modifications of existing permits received on or after the effective date.

This section became effective retroactively to July 1, 2023.

### **Exempt Agricultural Land from Stormwater Fees – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 14

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Establish Annual Great Trails State Day – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 16

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Add One Member to the Community Conservation Assistance Program Advisory Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 18

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **C-PACE Program.**

SL 2024-44 (S802)

[For a detailed summary of the provisions of this act, please see the COMMERCIAL LAW AND CONSUMER PROTECTION subject area.]

## **Modernize Wastewater Permitting to Support Environmentally Sound Economic Development – C-PACE Program.**

SL 2024-44 (S802), Sec. 5.1

Sec. 5.1 of S.L. 2024-44: (i) repeals a provision enacted in 2023 that required the Department of Environmental Quality (DEQ) to permit discharges of highly treated domestic wastewater to surface waters of the State where the 7Q10 flow or 30Q2 flow<sup>2</sup> of the receiving waterbody is estimated to be low flow or zero flow if the wastewater treatment system is capable of meeting specific water quality-based effluent limitations for nine listed parameters<sup>2</sup>; and (ii) in lieu, requires DEQ and the Environmental Management Commission (EMC) to, no later than August 1, 2024, develop and submit to the United States Environmental Protection Agency (USEPA) for USEPA's approval draft rules that establish methodologies and permitting requirements for the discharge of treated domestic wastewaters with low risk following site-specific criteria to surface waters of the State where the 7Q10 flow or 30Q2 flow of the receiving water is estimated to be low flow or zero flow, or under certain conditions non-existent, as determined by the United States Geological Survey. Within 20 days of the date USEPA approves these draft rules, the EMC must initiate the process for temporary and permanent rulemaking.

In addition, the section:

- Requires that DEQ, in conjunction with the North Carolina Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory), convene a Wastewater General Permit Working Group (Working Group), no later than September 1, 2024, consisting of DEQ and Collaboratory staff and a maximum of five consulting experts appointed by the Director

of the Collaboratory in the fields of environmental regulation, wastewater regulation, water quality regulation, and wastewater treatment regulation, to develop the draft rules for the implementation of a Wastewater Treatment and Discharge General Permit process for the State. The Working Group must report its findings to the Environmental Review Commission (ERC) no later than March 15, 2025. Following consideration by the ERC, and after making any changes required by the ERC, DEQ must develop and submit proposed rules to USEPA for its approval. Within 20 days of the date USEPA approves these draft rules submitted, the EMC must initiate the process for temporary and permanent rulemaking.

- Requires that DEQ and the EMC report on their activities conducted pursuant to the legislation to various legislative committees and commissions, beginning September 1, 2024, and quarterly thereafter, until such time as the permanent rules required by the legislation have become effective.

This section became effective July 8, 2024.

### **Delay Fisheries Harvest Reporting System by One Year – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 8

Section 8 of S.L. 2024-45 delays the effective date of the punishment for failing to meet the recently established reporting requirements for commercial and recreational fish harvests by one year.

This section became effective July 9, 2024.

### **Prohibit the Acquisition of Quartz Mining Operations and Lands Containing High Purity Quartz by Foreign Governments Designated as Adversarial by the United States Department of Commerce – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 10

Section 10 of S.L. 2024-45 prohibits any state-controlled enterprise of, or the government of, a foreign nation that has been designated an adversarial foreign government by the United States Secretary of Commerce, from purchasing, acquiring, leasing, or holding any interest in either a quartz mining operation or land containing commercially valuable amounts of high purity quartz. Any transfer of an interest in land or a mining operation in violation of this section is void. No individual who is not an adversarial foreign government will bear any civil or criminal liability for failing to determine or make inquiry of whether an individual or other entity is an adversarial foreign government.

Currently, the following foreign governments and foreign non-government persons have been found to be adversarial foreign governments:

- The People's Republic of China, including the Hong Kong Special Administrative Region (China).
- Republic of Cuba (Cuba).
- Islamic Republic of Iran (Iran).
- Democratic People's Republic of Korea (North Korea).
- Russian Federation (Russia).
- Venezuelan politician Nicolás Maduro (Maduro Regime).

This section became effective July 9, 2024, and applies only to ownership interests acquired on or after that date.

**Expand Requirements for Issuance of 401 Certifications by the Department of Environmental Quality to Projects Located at an Existing or Former Electric Generating Facility – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 11

Section 11 of S.L. 2024-45 extends statutory requirements applicable to the Department of Environmental Quality's (DEQ) handling of 401 certifications for certain projects to electric generation projects located at an existing or former electric generating facility.

This section became effective July 9, 2024, and applies to applications for 401 certifications pending or submitted on or after that date.

**Prohibit Public Water and Sewer Systems from Imposing Unauthorized Conditions and Implementing Preference Systems for Allocating Service for Residential Development – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 12

Section 12 of S.L. 2024-45 prohibits local government units from requiring an applicant for water or sewer service for residential development to agree to any condition not otherwise authorized by law, or to accept any offer by the applicant to consent to any condition not otherwise authorized by law. These conditions include, without limitation, any of the following:

- Payment of taxes, impact fees or other fees, or contributions to any fund.
- Adherence to any restrictions related to land development or land use, including those within the scope of G.S. 160D-702(c).
- Adherence to any restrictions related to building design elements within the scope of G.S. 160D-702(b).

This section also prohibits local government units from implementing a scoring or preference system to allocate water or sewer service among applicants for water or sewer service for residential development that does any of the following:

- Includes consideration of building design elements, as defined in G.S. 160D-702(b).
- Sets a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.
- Requires a parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.
- Requires additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code.

This section became effective July 9, 2024.

### **Remove Time Limits on Certain Viable Utility Reserve Grants – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 14

Section 14 of S.L. 2024-45 allows emergency grants from the Viable Utility Reserve to be awarded for more than three consecutive fiscal years.

This section became effective July 9, 2024.

### **Exemption From State Park Fees for Eligible Disabled Veterans – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 15

Section 15 of S.L. 2024-45 allows disabled veterans of any branch of the Armed Forces of the United States to apply for and receive any pass from the North Carolina State Parks Annual Pass Program for no fee.

This section became effective July 9, 2024.

### **Amend Statutes and Rules Applicable to Dock, Pier, and Walkway Replacement in the Coastal Area – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 15.1

Section 15.1 of S.L. 2024-45 does all of the following:

- Requires the Coastal Resources Commission to revise the Coastal Area Management Act (CAMA) rules to provide that for certain fixed docks, piers, or walkways damaged or destroyed by natural elements, fire, or normal deterioration, activity to rebuild the dock, pier, or walkway to its pre-damage condition is considered repair of the structure, and does not require CAMA permits, without regard to the percentage of framing and structural components required to be rebuilt. At the time a dock, pier, or walkway



damaged or destroyed by natural elements, fire, or normal deterioration is repaired, the width and length of the dock, pier, or walkway structure can be enlarged by not more than five feet or five percent, whichever is less, and the structure can be heightened, without need for a CAMA permit. These changes do not, however, apply to docks and piers: (i) greater than six feet in width; (ii) greater than 800 square feet of platform area; or (iii) that are adjacent to a federal navigation channel.

No later than August 1, 2024, the Department of Environmental Quality (DEQ) must prepare and submit these changes to the United States National Oceanic and Atmospheric Administration (NOAA) for approval. The Department of Environmental Quality must report to the Environmental Review Commission on the status of their activities pursuant to this provision quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this reporting requirement.

This provision becomes effective on the later of the following dates, and applies to applications for permits pending or filed on or after that date:

- October 1, 2024.
- The first day of a month that is 60 days after the Secretary of Environmental Quality certifies to the Revisor of Statutes that NOAA has approved the changes made to the CAMA Rules, as required by the provision. The Secretary must provide this notice along with the effective date of the provision on DEQ's website.

This provision expires when permanent rules adopted as required by the provision become effective.

- Requires local building inspection departments to, not later than 60 days after an inspection of a dock, pier, or catwalk or walkway that has been replaced in the coastal area, notify the Division of Coastal Management of the replacement.

This provision became effective July 9, 2024.

- Prohibits the North Carolina Residential Building Code from requiring a professional engineer or architect to design or otherwise certify the construction of residential docks, piers, or catwalks or walkways.

This provision became effective July 9, 2024.

### **Authorize Establishment of a Measurement Line for Dune Building Projects Conducted Pursuant to Permitted Terminal Groin Construction – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 16

Section 16 of S.L. 2024-45 requires the Coastal Resources Commission (CRC) to, for the purpose of a dune building and beach planting project, authorize local governments that have received a

permit to construct a terminal groin to establish a measurement line that represents the location of the first line of stable and natural vegetation that is covered by the dune building and beach planting project. The measurement line must be: (i) established in coordination with the Division of Coastal Management (DCM) of the Department of Environmental Quality (DEQ) using on-ground observation and survey or aerial imagery for all areas of oceanfront that undergo dune building and beach planting project; and (ii) applicable for a period of no less than two years from the completion of the dune building and beach planting project. The CRC must amend their rules for this purpose (but implement the policy, prior to an amended rule becoming effective, once the provision becomes law).

No later than August 1, 2024, DEQ must submit this change to the United States National Oceanic and Atmospheric Administration (NOAA) for approval. In addition, DEQ must report to the Environmental Review Commission on the status of their activities pursuant to this section quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this reporting requirement.

The change to allow establishment of a measurement line for permitted terminal groin construction becomes effective on the later of the following dates:

- September 1, 2024.
- The first day of a month that is 60 days after the Secretary of Environmental Quality certifies to the Revisor of Statutes that NOAA has approved the changes.

This section expires when permanent rules adopted as required by the provision become effective.

### **Exclude Aquaculture from the Definition of "Development" for Purposes of CAMA and Limit the Authority of the Marine Fisheries Commission to Adopt Rules Regulating Aquaculture Equipment – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 16.1

Section 16.1(a) of S.L. 2024-45 provides that "development" does not include placement of a floating structure used primarily for aquaculture and associated with an active shellfish cultivation lease area or franchise. This section also clarifies that the use of any land for purposes related to aquaculture and aquaculture facilities associated with an active shellfish cultivation lease area or franchise is also excluded from the definition of "development."

The Department of Environmental Quality (DEQ) is directed to submit to the United States National Oceanic and Atmospheric Administration (NOAA) for approval these proposed changes. This subsection becomes effective on the later of:

- October 1, 2024.
- The first day of a month that is 60 days after the Secretary of Environmental Quality certifies to the Revisor of Statutes that NOAA has approved the changes.

Section 16.1(b) of S.L. 2024-45 provides that the Marine Fisheries Commission does not have the authority to adopt rules regulating cages, poles, anchoring systems, or any above-water frames or structural supports used to suspend or hold in place equipment or floating structures used for aquaculture.

This section became effective July 9, 2024.

## **Authorize Replacement of Certain Erosion Control Structures – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 16.1A

Section 16.1A of S.L. 2024-45 does all of the following:

- Makes several changes to the statutory definition of "terminal groin" to include a structure constructed: (i) where the ocean shoreline converges with Frying Pan Shoals; (ii) to protect the terminus of the island from shoreline erosion "or" inlet migration (prior law stated "and"); (iii) that allows sand moving in the littoral zone to flow "around, over, or through" the structure (prior law stated that sand "flow past").
- Requires the Coastal Resources Commission (CRC) to permit replacement of a permanent erosion control structure originally permitted pursuant to a variance granted by the CRC prior to July 1, 1995, consisting of a field of geotextile sand tubes, the field of geotextile sand tubes can be replaced with rock erosion control structures subject to the following criteria:
  - The number of rock erosion control structures must be equal to or less than the number of geotextile sand tubes originally permitted.
  - The structure(s) or field of structures can consist of groins, including T-head or lollipop groins, or breakwaters to be approved by the Division of Coastal Management of the Department of Environmental Quality (DEQ), in its discretion, or by variance from the CRC.
  - The structure field cannot be enlarged beyond the alongshore dimensions authorized under the original permit, and the aggregate overall length of the rock structures cannot exceed the aggregate overall length of the geotextile sand tubes authorized under the original permit.
  - The plans for the work must be sealed by a professional engineer licensed to practice pursuant to Chapter 89C of the General Statutes with experience in engineering in the coastal area.

The language provides that such a permanent erosion control structure is not a terminal groin, and is not subject to requirements for terminal groins elsewhere in the statute.

- Increases the number of permits for the construction of terminal groins the CRC can issue from six to seven.

No later than August 1, 2024, DEQ must submit this change to the United States National Oceanic and Atmospheric Administration (NOAA) for approval. In addition, DEQ must report to the

Environmental Review Commission on the status of their activities pursuant to this section quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this reporting requirement.

The changes to the terminal groin statute become effective on the later of:

- October 1, 2024.
- The first day of a month that is 60 days after the Secretary of DEQ certifies to the Revisor of Statutes that NOAA has approved the changes.

**Technical Correction to Restore Deleted Language Concerning Forced Connection of County Sewer, Originally Enacted in S.L. 2023-90 and S.L. 2023-108 – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 26

Section 26 of S.L. 2024-45 restores previously enacted language prohibiting counties from requiring the forced connection to county sewer in certain circumstances that was inadvertently deleted in the Regulatory Reform Act of 2023.

This section became effective July 9, 2024.

**Coal Combustion Residual Report Revision – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 27

Section 27 of S.L. 2024-45 moves a required Department of Environmental Quality (DEQ) report on coal combustion residual impoundments from quarterly to annually, before October 1st each year, and authorizes DEQ to combine that report with its annual report to members of the General Assembly whose district contains a coal combustion residual impoundment.

This section became effective July 9, 2024.

**Require the Department of Environmental Quality to Report Quarterly on Applications for Permits Required for Natural Gas Pipelines and Gas-Fired Electric Generating Facilities – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 28

Section 28 of S.L. 2024-45 requires the Department of Environmental Quality (DEQ) to report quarterly to the Joint Legislative Commission on Energy Policy on: (i) any applications received for permits required for siting or operation of natural gas pipelines and gas-fired electric generation facilities within the State; and, (ii) activities of DEQ to process such applications, including tracking of processing times.

This section became effective July 9, 2024, and apply to applications for permits for natural gas pipelines and gas-fired electric generation facilities pending on or received on or after that date. DEQ must submit the initial report no later than October 1, 2024.

### **Combine Stormwater Grant Report With Water Infrastructure Reports – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 29

Section 29 of S.L. 2024-45 allows the Department of Environmental Quality to submit its required annual report on the Local Assistance for Stormwater Infrastructure Fund (Stormwater Fund) along with the other required water infrastructure reports, as a single report, and moves the report date for the Stormwater Fund report to November 1.

This section became effective July 9, 2024.

### **Require Annual River Basin Advisory Commission Report Only in Years When the Commission Meets – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 30

Section 30 of S.L. 2024-45 changes the reporting requirement for three river basin advisory commissions. Instead of being required to submit an annual report each year, a river basin advisory commission is now only required to submit an annual report for those years in which it meets.

This section became effective July 9, 2024.

### **2024 Building Code Regulatory Reform.**

SL 2024-49 (S166)

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

# Finance

See full summary documents for additional detail

## **Clarify Division of Motor Vehicles Authority to Implement Transaction Fees on Electronic Payments – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 10.1

[For a detailed summary of the provisions of this act, please see the TRANSPORTATION subject area.]

## **Exempt Public Transportation From For-Hire Ground Transport Excise Tax – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.1

Section 11.1 of S.L. 2024-1 clarifies that for-hire ground transport service providers that provide public transportation on behalf of a State agency, certain governmental entities, or a local board of education are exempt from the for-hire ground transport excise tax.

This section becomes effective July 1, 2025, and applies to for-hire ground transport services occurring on or after that date.

## **Clarify Franchise Tax Cap on the First One Million Dollars of C Corp Tax Base – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.2

Section 11.2 of S.L. 2024-1 clarifies that the franchise tax cap on the first \$1 million of C Corporation's tax base is a maximum of \$500 and not a flat rate of tax.

This section is effective for taxable years beginning on or after January 1, 2025, and applicable to the calculation of franchise tax reported on the 2024 and later corporate income tax return.

## **Extend Filing Date for SALT Cap Election – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.3

Section 11.3 of S.L. 2024-1 extends from October 15, 2023, to July 1, 2024, the filing date for a SALT cap election for the 2022 taxable year.

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

## **Tobacco Tax Documentation Technical Correction – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.4

Section 11.4 of S.L. 2024-1 makes a technical correction by incorporating into G.S. 105-113.36A(f) the changes made by both Section 3.2(b) of S.L. 2023-12, which was the Revenue Laws Technical, Clarifying, and Administrative Changes Act, and Section 42.18(b) of S.L. 2023-134, which was the 2023 Appropriations Act.

This section becomes effective July 1, 2025, and applies to sales or purchases occurring on or after that date.

## **Increase Frequency of Tax Revenue Transfer to Highway Fund – North Carolina Department of Transportation Legislative Changes.**

SL 2024-15 (H198), Sec. 18

Section 18 of S.L. 2024-15 increases from quarterly to monthly the frequency of transfers from the General Fund to the Highway Fund of proceeds collected from the State general rate of sales tax.

This bill was vetoed by the Governor on May 23, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This section of the act became effective July 1, 2024.

## **2024 UNC Self-Liquidating Capital Projects.**

SL 2024-24 (H912)

S.L. 2024-24 authorizes constituent institutions of The University of North Carolina (UNC) to finance and acquire or construct certain capital improvement projects reviewed and approved by the Board of Governors of UNC. 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 or the State Capital and Infrastructure Fund unless previously authorized by law.

This act became effective on June 28, 2024.

## **Revenue Laws Technical, Clarifying, and Administrative Changes.**

SL 2024-28 (H228)

S.L. 2024-28 makes various technical, clarifying, and administrative changes to the revenue laws as recommended by the Department of Revenue, makes technical changes to the Medicaid hospital assessment statutes, replaces an expiring unit of measure used by Fannie Mae referenced in NC statutes setting certain restrictions on high-cost home loans, increases from

\$20 to \$30 the special registration plate fee for the NC Tennis Foundation special plate, and increases the bond debt limit for the Housing Finance Agency.

This act was signed into law by the Governor on July 1, 2024, but has various effective dates. Please see the full summary for more detail.

### **Insurance Revisions/Online Auctions/Firefighters.**

SL 2024-29 (S319)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

### **Captive Insurance Revisions – Insurance Rev/Online Auctions/Firefighters.**

SL 2024-29 (S319), Secs. 1-3

Sections 1 through 3 of S.L. 2024-29 do the following:

- Provides that a risk retention group chartered in this State is subject to examination by the Commissioner of Insurance whenever the Commissioner deems it prudent and reasonable.
- Reduces from 5% to 1.85% the tax rate applicable to gross premiums paid for coverages within this State to risk retention groups not chartered in this State.
- Eliminates the requirement that a foreign captive insurance company redomesticate to North Carolina prior to December 31, 2022, in order to qualify for the exemption from paying gross premiums taxes in the year of and in the year after redomestication and extends by one year the sunset on this exemption provision, ending it for taxable years beginning on or after January 1, 2026.

Sections 1 and 2 of S.L. 2024-29 become effective October 1, 2024. Section 3 became effective July 2, 2024.

### **Motor Vehicle Registration Tax – DMV Proposed Legislative Changes.**

SL 2024-30 (H199), Sec. 30

Section 30 of S.L. 2024-30 increases from \$8 to \$10 the maximum tax rate transportation authorities may levy for registered motor vehicles located within their territorial jurisdiction.

This section became effective July 1, 2024.



## **Regulate Tobacco Products – Certain CIHS Partners/Regulate Tobacco Products.**

SL 2024-31 (H900), Sec. 2

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

## **Conservation Tax Credit – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 15

Section 15 of S.L. 2024-32 reenacts a modified conservation tax credit equal to 25% of the fair market value of donated real property that may be used (1) for forestland or farmland preservation; (2) for fish and wildlife conservation; (3) as a buffer for military training and testing activities; (4) for floodplain protection; (5) for historic landscape conservation; (6) for public trails or access to public trails. The credit is capped at \$500,000 for corporations and \$250,000 for individuals. There is an aggregate cap of \$5 million dollars per taxable year with 65% of that amount being allocated for credits claimed for forestland and farmland preservation.

This credit is effective for taxable years beginning on or after January 1, 2025, for donations made on or after January 1, 2025, and expires for taxable years beginning on or after January 1, 2027, for donations made on or after January 1, 2027.

## **Cap the Tax on Qualifying Spirituous Liquor Purchases – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 23

Section 23 of S.L. 2024-41 caps the amount of sales and use tax payable on the purchase of a single container of spirituous liquor the purchase price of which is equal to or greater than \$50,000. In order to effectuate this cap administratively, a purchaser must either apply to the Department of Revenue for a direct pay permit and pay the tax directly to the Secretary, or the seller may voluntarily collect the tax on behalf of the purchaser.

This section becomes effective January 1, 2025, and applies to purchases occurring on or after that date.

## **Clarify Due Date of Returns/Tax and Clarify When Excise Taxes for Alcoholic Beverages Must Be Paid – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 35

Section 35 of S.L. 2024-41 clarifies the due dates for returns and payment of alcohol excise tax, clarifies that certain reports must be submitted even if tax is not due, and allows the Department of Revenue to request a copy of an agreement between breweries or wineries and their wholesalers transferring the remittance obligation to the wholesaler.

This section, as included in this act, became effective July 8, 2024. However, the identical provision was enacted in Section 3.1 of S.L. 2024-28, which became effective July 1, 2024. Therefore, as a practical matter, Section 3.1 of S.L. 2024-28 this section became effective July 1, 2024.

**Modify Rural Electrification Authority/Fee Update – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 4

[For a detailed summary of the provisions of this act, please see the UTILITIES subject area.]

**Require Additional Means of Notice to Advertise Property Tax Liens in Addition to Those Currently Required by Law – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 22

Section 22 of S.L. 2024-45 requires an additional means of notice to advertise property tax liens in addition to those currently required by law.

This section becomes effective for taxes imposed for taxable years on or after January 1, 2025.

# Health and Human Services

See full summary documents for additional detail

## **Corrections Pertaining to the University of North Carolina Health Care System and East Carolina University – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 1.7

Section 1.7 of S.L. 2024-1 makes the following changes to the clarification of authority of the University of North Carolina Health Care System (UNC Health) and East Carolina University Health Care (ECU Health) operational and personnel flexibilities enacted in Section 4.10 of S.L. 2023-132:

- It clarifies that UNC Faculty Physicians and any entity that merges with UNC Health are component units of UNC Health, and that the UNC Health Board (Board) has authority over those component units.
- It requires the Board to meet four times each year, instead of every 60 days.
- It allows the Board to designate UNC Health's in-house counsel to represent UNC Health at commitment hearings.
- It authorizes the Board to establish a liability insurance program.
- For purposes of retirement, it clarifies that individuals who are hired by UNC Health on or after January 1, 2024, and who were members of the Teachers' and State Employees' Retirement System or the UNC Optional Retirement Program at the time of hire will be treated as if they were employed by UNC Health on December 31, 2023. This provision does not apply to law enforcement officers.
- For purposes of retirement, it clarifies that individuals who are hired by ECU Health on or after January 1, 2024, and who were members of the Teachers' and State Employees' Retirement System or the ECU Optional Retirement Program at the time of hire will be treated as if they were employed by ECU Health on December 31, 2023.
- It allows employees of UNC Health to participate in the Supplemental Retirement Income Plan.
- It allows the ECU chancellor to adopt policies governing property development for the ECU Medical Faculty Practice Plan and ECU Dental School Clinical Operations.

The provisions of the section dealing with the authority of the UNC Health Board and the ECU chancellor became effective May 15, 2024. The provisions dealing with retirement are effective retroactively to January 1, 2024.

## **Amend Requirements for Innovations Waiver Direct Care Worker Medicaid Rate Increases – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.1

Section 3.1 of S.L. 2024-1 amends Section 9E.15 of S.L. 2023-134, which requires Innovations Waiver service providers to use Medicaid rate increases for the benefit of the direct care workers

they employ. This section of the act (i) clarifies which entity must seek recoupment of overpayments to noncompliant providers and (ii) adds reporting requirements regarding providers' use of the funds.

This section became effective May 15, 2024, and apply to the recoupment of overpayments owed on or after that date.

### **Extend Duration of Adult Care Home Accreditation Pilot Program – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.2A

Section 3.2A of S.L. 2024-1 amends Section 9E.6 of S.L. 2021-180, as amended by Section 3.1 of S.L. 2021-189, to extend the adult care home accreditation pilot program from two years to three years. The changes include increasing the ability of the Adult Care Home Accreditation Grant Program to allow the cost of providing outcome data for up to 150 pilot adult care homes, previously it was 75. The final report deadline was extended from July 31, 2024, to July 31, 2025, and the termination date was extended from August 1, 2024, to August 1, 2025. The goal of the pilot program is to evaluate the effectiveness of an accreditation process for adult care homes that would deem adult care homes eligible for ongoing licensure and exempt accredited adult care homes from routine inspections if they meet required standards and requirements.

This section became effective May 15, 2024.

### **Clarify South Piedmont Regional Autopsy Center Service Expansion. – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.5A

Section 3.5A amends the provisions of Section 9H.10 of S.L. 2023-134, which allocated funds for the establishment of an autopsy center in Union County, in the following ways:

- It requires the autopsy center to expand its service area to include Anson and Cabarrus Counties by December 30, 2024, Rowan and Stanly Counties by June 30, 2025, Moore and Richmond Counties by November 30, 2025, and Gaston and Montgomery Counties by June 30, 2026.
- It requires Union County and the Office of the Chief Medical Examiner (OCME) to amend their contract to account for the expanded service area.
- It allows Union County and the OCME to come up with an alternative expansion schedule if the initial expansion schedule is unworkable.
- It requires Union County to report to the Department of Health and Human Services, the Joint Legislative Oversight Committee on Health and Human Services, the Fiscal Research Division, and the counties in the expanded service area on the status of the autopsy center, any delays in expansion, and any proposed alternative expansion schedules. The reports must be made on February 1, 2024, December 1, 2024, and every six months thereafter until expansion is complete. Under the original version of Section 9H.10 of S.L.

2023-134, the expansion counties were not included in the list of report recipients, the reporting ended on December 1, 2024, and the only item required to be reported was the status of the autopsy center.

This section became effective July 1, 2024.

### **Exempt Certain Nonprofits Receiving Social Services Block Grant Funds from Match Requirements – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.8

Section 3.8 of S.L. 2024-1 exempts the following amounts appropriated from the Social Services Block Grant for each fiscal year of the 2023-2025 fiscal biennium from the matching rates for financial participation: (i) \$350,000 for Big Brothers Big Sisters of the Triangle, Inc., (ii) \$2,541,392 for Autism Society of North Carolina, Inc., (iii) \$271,074 for The Arc of North Carolina, Inc., (iv) \$1,612,059 for Easterseals UCP of North Carolina & Virginia, Inc.

This section became effective July 1, 2023.

### **Mask Exemption Modifications – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 1

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Human Trafficking Changes.**

SL 2024-26 (H971)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Revenue Laws Technical, Clarifying, and Administrative Changes.**

SL 2024-28 (H228)

Part V of S.L. 2024-28 makes various technical changes to the Medicaid hospital assessment statutes, as follows:

- Section 5.1 clarifies the references to the Consumer Price Index (CPI) and the Medicare Economic Index (MEI) that are used to annually adjust certain components of the Medicaid hospital assessments and makes conforming changes. To correctly use the CPI and MEI to make the annual adjustments, the statutes needed to reference the "change" in those indexes rather than the indexes themselves.

- Section 5.2 rebalances the distribution of the assessment collections between public and private hospitals due to a hospital closure since the passage of the original act. Under G.S. 108A-146.17(c), the Department of Health and Human Services (DHHS) must report to the General Assembly when a hospital has closed or changed its status as either a public or private hospital, and DHHS must propose the changes to the hospital assessments that are needed as a result. In response to the closure of Martin General Hospital, DHHS submitted a report proposing the statutory changes included in this section.
- Section 5.3 treats federally-designated "rural emergency hospitals" the same as critical access hospitals under the assessments due to the fact that critical access hospitals may be eligible to convert to this new federal designation of "rural emergency hospital," which was not accounted for in the assessment statutes.
- Section 5.3A corrects a statutory citation.

This part becomes effective October 1, 2024, and applies to assessments on or after that date.

## **Regulate Tobacco Products – Certain CIHS Partners/Regulate Tobacco Products.**

SL 2024-31 (H900), Sec. 2

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

## **Health and Human Services Omnibus.**

SL 2024-34 (S425)

S.L. 2024-34 makes various changes to the laws on health and human services.

Aging and Adult Services. - The act does the following:

- Clarifies the manner of service of the petition and notice of hearing to a disabled adult regarding the provision of adult protective services. (Section 1)

Children and Families. – The act does the following:

- Amends the definition of family child care home to include a child care arrangement where more than two children and less than 11 children, previously 10 children, receive child care in a residence. (Section 2)
- Extends unlicensed kinship care to half-siblings of relative children. (Section 4)
- Clarifies that a first responder to whom an infant can be temporarily surrendered must be on duty. (Section 5)
- Allows application by a director of a county department of social services to the court for limited custody of a surrendered infant upon initiation of notice by publication, instead of waiting for the completion of the notice by publication. (Section 6)
- Updates guidelines for trauma-informed standardized assessments. (Section 7)

- Directs the Division of Child Development and Early Education (DCDEE), Department of Health and Human Services (DHHS), to revise the Quality Rating Improvement System (QRIS) by creating alternative pathways for child care facilities to earn a license of two to five stars and to adopt or amend rules to implement the alternative pathways. The alternative pathways can be focused on (i) program assessment, (ii) classroom and instructional quality, (iii) accreditation, or (iv) any other pathway designated by the North Carolina Child Care Commission. A child care facility is not required to undergo a QRIS assessment by DCDEE until rules implementing the new QRIS pathways become effective. (Section 8)
- Amends the 2023 Appropriations Act by providing that the State portion of the funding for the Tri-Share Child Care pilot program does not revert at the end of the 2023-2025 fiscal biennium and remains available for costs associated with the Tri-Share Child Care pilot program. The North Carolina Partnership for Children must design the Tri-Share Child Care pilot program, establish the program infrastructure, and recruit participating child care providers and employers. (Section 15)

Medicaid. - The act does the following:

- Extends the temporary authority of the federally facilitated marketplace to make North Carolina Medicaid eligibility determinations until June 30, 2025. (Section 9)
- Extends the managed care exemption for justice-involved individuals so that prison inmates, who are currently exempt from enrolling in prepaid health plans, will remain exempt for up to a year after release from prison. The same exemption will apply to inmates in jails and other carceral settings who have had their Medicaid eligibility suspended. (Section 12)

Mental Health, Developmental Disabilities, and Substance Use Services. - The act does the following:

- Encourages DHHS and local management entity/managed care organizations (LME/MCOs) to enter into intergovernmental agreements with the Eastern Band of Cherokee Indians to facilitate the use of tribal health facilities for the voluntary admission or involuntary commitment of North Carolina residents to those facilities and requires reporting by February 1, 2025, on any proposed legislative changes to further facilitate this use of tribal health facilities. (Section 14)
- Requires the area director of Trillium Health Resources (Trillium) to submit to the Secretary of DHHS a new alternative board structure for Trillium. The Secretary can approve the new alternative board structure and appoint the initial board members without each county in Trillium's catchment area adopting a resolution approving the board structure or appointing the board members, notwithstanding statutory requirements. (Section 16)

Hospitals and Healthcare Facilities. - The act does the following:

- Amends references to the East Carolina University Regional Behavioral Health Facility to be consistent in the 2023 Appropriations Act. (Section 10)

- Amends the Hospital Violence Act to create an exemption until June 1, 2025, from the requirement to have a law enforcement officer present in the emergency department for hospitals that submit a security risk assessment, along with other specified criteria, to DHHS by October 1, 2024. (Section 11)
- Grants the authority to establish a campus law enforcement agency within the Board of Directors of the University of North Carolina Health Care System (Board) and updates the powers of the Board to include the authority to engage legal counsel, including private counsel, for any matter the Board deems necessary; and creates G.S. 131E-14.3 within Article 2 of Chapter 131E of the General Statutes to allow the lease or sale of hospital facilities to certain political subdivisions. (Section 13)

Public Health. – The act does the following:

- Amends the minimum education and experience qualifications required for a local health director to include a bachelor's degree in a field related to public health and at least seven years of experience in health programs that include three years of supervisory experience. (Section 3)

General Health Provisions. - The act does the following:

- Makes various changes to the Review Panel of the North Carolina Medical Board, including setting term limits. (Section 17)

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

## **Right to Try Individualized Treatments.**

SL 2024-36 (H98)

S.L. 2024-36 allows eligible patients with life-threatening or severely debilitating illnesses the right to try individualized investigational drugs, biological products, and devices. The act defines the following: eligible facility; eligible patient; individualized investigational drug, biological product, or device; institution; life-threatening or severely debilitating illness; and written, informed consent.

Elements of the act are outlined below.

- Authorizes access to and use of individualized investigational drugs, biological products, or devices.
- Prohibit liability to heirs for outstanding debt related to use of individualized investigational drugs, biological products, or devices.
- Prohibits sanctions against health care providers.
- Prohibits certain conduct by State officials.
- Prohibits a private right of action against manufacturers of individualized investigational drugs, biological products, or devices.



- Provides that nothing in the act affects a health benefit plan's obligation to provide coverage for an insured's participation in a clinical trial.

The right to try individualized treatments becomes effective October 1, 2024, the remainder of the act became effective July 8, 2024.

### **Cigar Bar Amendments – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 36

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

### **Revisions Pertaining to Death Investigations Under the Jurisdiction of the Office of the Chief Medical Examiner – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 1

Section 1 of S.L. 2024-43 repeals the provisions of existing law allowing the Office of the Chief Medical Examiner (OCME) to seek an administrative search warrant when a district attorney certifies the death in question is not under criminal investigation. The section clarifies that in all cases, the OCME retains the statutory authority to examine (i) the decedent's body, (ii) the decedent's medical records, (iii) the decedent's personal possessions associated with the death, and (iv) blood and tissue samples and diagnostic images of the decedent. In cases under criminal investigation, the OCME can examine any evidence permitted by the investigating authority. The OCME must provide a complete copy of the medical examiner file to a district attorney upon request. If a district attorney believes that the death may have been caused by certain controlled substances, the district attorney has 72 hours to notify the OCME so that a full autopsy can be performed.

This section becomes effective October 1, 2024.

### **Add Tianeptine to Schedule II – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 6

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Exempt Certain Food Service Establishments from Septage Management Firm Permitting Requirements – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 17

Section 17 of S.L. 2024-45 exempts a food establishment that does not pump or vacuum a grease appurtenance from septage management firm permitting requirements.

This section became effective July 9, 2024.

**Amend Outdoor Grill Exemption for Food Establishments to Include Additional Cooking Surfaces – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 18

Section 18 of S.L. 2024-45 amends the law pertaining to the regulation of food establishments using an outdoor grill to prepare food for customers for sample or sale. The criteria pertaining to grill service is amended to allow the use of outdoor grills with stone surfaces, or any surface similar to stainless steel, cast iron, or stone, that complies with the North Carolina Food Code. Additionally, this section removes the requirement that the outdoor grill be located in an enclosed area. However, the requirement that the outdoor grill be protected from environmental contamination when not in use remains in place.

The act became effective July 9, 2024.

**Eliminate Annual Report on State Employees Who Have Been Work First Recipients – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 31

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

# Information Technology

See full summary documents for additional detail

## **Completing Access to Broadband Program Changes – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.1

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **BEAD Deployment – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.2

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **Human Trafficking Changes.**

SL 2024-26 (H971)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

## **Require Disclaimer on Local Government Geographic Information System (GIS) Tools – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 13

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

# Insurance

See full summary documents for additional detail

## **Office of State Fire Marshal Technical Changes – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec 6.4

Section 6.4 of S.L. 2024-1 does the following:

- Transfers the powers and duties of insuring State property, officials, and employees and public education property and persons from the Department of Insurance and the Commissioner of Insurance to the Office of the State Fire Marshal and the State Fire Marshal.
- Makes technical and conforming changes.

This section became effective July 1, 2023.

## **Predatory Roofing/Insurance Rebate Reform.**

SL 2024-11 (S124)

S.L. 2024-11 does the following:

- Requires contracts for residential roof replacement or repair to have a five-business day cancellation period following an insurance claim denial for the work to be performed under the contract.
- Allows insurers, insurance producers, or limited representatives to offer or provide products or services not specified in an insurance policy if certain conditions are met.
- Limits the commission, fee, or other valuable consideration given for the referral of insurance business by an unlicensed individual to a licensed insurance agent or broker to \$50.00 or less in value.

This act becomes effective October 1, 2024. The section of this act pertaining to contracts for residential roof replacement or repair applies to contracts entered into on or after that date. The section of this act pertaining to commissions applies to any referral of insurance business made on or after that date.

## **Insurance Revisions/Online Auctions/Firefighters.**

SL 2024-29 (S319)

Session Law 2024-29:

- Clarifies that risk retention groups chartered in this State are subject to examination by the Commissioner of Insurance and are responsible for the costs of the examination.

- Reduces from 5% to 1.85% the tax rate applicable to gross premiums paid for coverages within this State to risk retention groups not chartered in this State.
- Removes the requirement that foreign captive insurance companies redomesticate to North Carolina before December 31, 2022, in order to qualify for the exemption from paying gross premiums taxes in the year of and after redomestication and extends by two years the expiration date of this exemption, ending it for taxable years beginning on or after January 1, 2026.
- Allows certain foreclosure sales to be conducted at designated public locations, expands the time allowed for a scheduled foreclosure sale to commence, and establishes a procedure for remote bidding at a foreclosure sale.
- Permits health benefit plan sponsors, on behalf of any enrolled individual, to consent to delivery of all plan-related documents by electronic means in compliance with the Uniform Electronic Transactions Act, if that is not otherwise prohibited under ERISA.
- Permits an individual to be licensed simultaneously as an adjuster and as an insurance producer with casualty, personal lines, or property lines of authority.
- Clarifies that either the appointing insurer or the appointed insurance producer can notify the Commissioner when the appointment is cancelled.
- Amends the definition of an "underinsured motor vehicle" by removing language that states the applicable limits of underinsured (UIM) coverage at the time of the accident are those "for the vehicle involved in the accident and insured under the owner's policy."
- Makes technical corrections to certain insurance provisions in S.L. 2023-133 concerning the calculation of underinsured motorist coverage and insurance ratemaking laws.
- Establishes the Firefighters' Cancer Insurance Program to provide health benefits to eligible firefighters with a new diagnosis of cancer on or after January 1, 2022.
- Increases from \$10.00 to \$15.00 the monthly payment by eligible firefighters and rescue squad workers who participate in the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund and increases the monthly pension benefit from \$170.00 to \$175.00.
- Requires a county to ensure a criminal history record check is conducted for an applicant over the age of 18 who is applying for a firefighting position and allows county clerks of court and third-party vendors to conduct a record check under certain conditions.

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

### **Captive Insurance Revisions – Insurance Rev/Online Auctions/Firefighters.**

SL 2024-29 (S319), Secs. 1-3

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

# Labor and Employment

See full summary documents for additional detail

## Department of Labor Omnibus/Other Changes.

SL 2024-3 (S542)

S.L. 2024-3 does the following:

- Allows electronic communication as form of notice under Youth Employment statutes, the Elevator Safety Act of North Carolina, the Amusement Device Safety Act of North Carolina, the Passenger Tramway Safety Act, the Occupational Safety and Health Act of North Carolina, and the Controlled Substance Examination Regulation Act.
- Increases the range of a civil penalty for a Wage and Hour Act record-keeping violation from \$250-\$2,000 to \$750-\$4,500 and allows electronic communication as form of notice.
- Makes changes to the Uniform Boiler and Pressure Vessel Act including:
  - Adding new definitions for "imminent danger" and "menace to public safety."
  - Clarifying exemptions from the Act for the following: pressure vessels used for storage of compressed gases; air tanks used directly in the operation of trains; pressure vessels that meet specific limitations; and hot water supply boilers.
  - Allowing electronic communication as form of notice.
  - Combining the existing civil penalties into one penalty not to exceed \$500.
- Repeals G.S. 95-255 – Reports and G.S. 95-255.1 – Technical Assistance and makes conforming changes.
- Fixes a typographical error in a General Statutes citation.
- Modifies public works specification requirements for elevators.

This act became effective June 3, 2024, except for the typographical error correction, which became effective retroactively July 1, 2022.

## Office of State Human Resources/Various State Human Resources Act Changes.

SL 2024-23 (H223)

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

## Human Trafficking Changes.

SL 2024-26 (H971)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

**Permanently Allow Fifteen-Year-Olds to Work in ABC-Permitted Establishments – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 34

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

# Local Government

See full summary documents for additional detail

## **Local Government Budgets/Settlement Projects – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 1.1

Section 1.1 of S.L. 2024-1 expands the accounting requirements for local governments and public authorities to authorize the budgeting of settlement projects in project ordinances. A "settlement project" is defined as "a project financed in whole or in part by revenues received pursuant to an order of the court or other binding agreement resolving a legal dispute."

This section became effective July 1, 2023.

## **School Resource Officers in Nonpublic Schools – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 2.8A

[For a detailed summary of the provisions of this act, please see the EDUCATION subject area.]

## **Insurance Revisions/Online Auctions/Firefighters.**

SL 2024-29 (S319)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

## **Prohibit Regulation of Beehives in Municipal ETJs – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 12

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Require Disclaimer on Local Government Geographic Information System (GIS) Tools – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 13

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]



## **Exempt Agricultural Land from Stormwater Fees – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 14

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Various General Local Laws.**

SL 2024-38 (H593)

S.L. 2024-38 does the following:

- Provides an additional civil penalty for violating motor vehicle restrictions on a designated road segment in Macon County, effective December 1, 2024.
- Amends certain regulations applicable to sanitary districts, effective July 8, 2024.
- Clarifies funds allocated to certain localities, effective July 8, 2024.
- Requires the State, effective July 8, 2024, to transfer certain real property to the City of Monroe.

## **Residency Districts for Certain Sanitary Boards – Various General Local Laws.**

SL 2024-38 (H593), Sec. 2

Section 2 of S.L. 2024-38 requires certain sanitary districts to establish residency districts for use in their board elections. This section became effective July 8, 2024, and applies to elections held in 2025 and thereafter.

## **Boundaries for Certain Sanitary Districts – Various General Local Laws.**

SL 2024-38 (H593), Sec. 4

Section 4 of S.L. 2024-38 amends the process for expanding boundaries of certain sanitary districts. This section became effective July 8, 2024, and applies to any resolution from a municipality received by a sanitary district board on or after January 1, 2024.

## **C-PACE Program.**

SL 2024-44 (S802)

[For a detailed summary of the provisions of this act, please see the COMMERCIAL LAW AND CONSUMER PROTECTION subject area.]

## **Prohibit Public Water and Sewer Systems from Imposing Unauthorized Conditions and Implementing Preference Systems for Allocating Service for Residential Development – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 12

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

## **Delivery of Permits Issued by State Agencies – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 22.1

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

## **Clarify Prohibition on Counties and Cities Enacting and Enforcing Certain Ordinances, Rules, and Regulations Related to Battery-Charged Security Fences – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 22.5

Section 22.5 of S.L. 2024-45 does the following:

- Prohibits counties and cities from enforcing any existing ordinances, rules, or regulations related to battery-charged security fences.
- Clarifies that the preemption on adopting battery-charged security fence ordinances applies to property zoned "exclusively" for nonresidential uses.
- Modifies the height requirements for battery-charged security fences to "exactly 10 feet."

This section became effective on July 9, 2024, and applies to any ordinances adopted before, on, or after that date.

## **Advanced Air Mobility Radar Systems – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 23

Section 23 of S.L. 2024-45 creates a framework for local governments to plan for and regulate the siting, installation, modification, maintenance, and removal of advanced air mobility radar ("radar") for traffic control of unmanned aircraft systems. Local governments must require permit applications for the construction of radar and approve or deny the permits based on whether certain criteria are met and must consider the collocation of radar on property owned by the local government.

This section becomes effective October 1, 2024.

## **Reconstruction and Removal of On-Premises Advertising Signs – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 23.1

Section 23.1 of S.L. 2024-45 amends local government authority to regulate on-premises advertising signs by (i) allowing the relocation or reconstruction of a lawfully erected on-premises advertising sign within the same parcel if the square footage of the sign does not increase and the sign complies with local development regulations in place when the sign was erected and (ii) prohibiting a local government from requiring removal of a legally erected non-conforming on-premises advertising signs unless the local government pays monetary compensation to the sign owner.

Section 23.1 became effective on July 9, 2024, and applies to on-premises advertising signs removed on or after October 1, 2021. For any on-premises advertising sign removed on or after October 1, 2021, but prior to July 9, 2024, construction work on relocation in accordance with G.S. 160D-912.1(b), as enacted by this section, must commence within two years of July 9, 2024.

## **Preemption of Local Regulations – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 7

[For a detailed summary of the provisions of this act, please see the PROPERTY, TRUSTS, AND ESTATES subject area.]

## **2024 Building Code Regulatory Reform.**

SL 2024-49 (S166)

Session Law 2024-49 amends various development regulations, amends various North Carolina State Building Codes, amends various construction contractors and design professionals' regulations, amends various environment and environmental health regulations, and reorganizes the Building Code Council.

This bill was vetoed by the Governor on July 5, 2024, and that veto was overridden by the General Assembly on September 11, 2024. This act has various effective dates. Please see the full summary for more details.

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

**See full summary documents for additional detail**

## **Amend Composition of the North Carolina Sentinel Landscapes Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 17

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Establish Catawba Indian Nation Tribal Alcoholic Beverage Control Commission – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 22

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

## **Remove Veterans Burial Residency Requirement – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 8

Section 8 of S.L. 2024-43 removes the residency requirement for veterans and their family members to be eligible for internment at a State veterans cemetery.

This section became effective July 8, 2024.

## **Exemption From State Park Fees for Eligible Disabled Veterans – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 15

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

# Occupational Boards and Licensing

See full summary documents for additional detail

## **State Bar Review Committee Recommendations.**

SL 2024-25 (S790)

S.L. 2024-25 makes various changes to Article 4 (North Carolina State Bar) in Chapter 84 (Attorneys-At-Law) of the North Carolina General Statutes, as recommended by the State Bar Review Committee, as follows:

- Requires the North Carolina State Bar (State Bar) to provide a copy of the complaint and supporting materials when issuing a letter of notice to a respondent attorney, when requested by the respondent attorney, and to provide certain other materials and information when recommending disciplinary action against the respondent attorney.
- Allows a respondent attorney to address the Grievance Committee and hear the Office of Counsel's presentation to the Grievance Committee.
- Allows the chair of the Grievance Committee to designate a person a vexatious complainant if the complainant has initiated grievances to the State Bar warranting dismissal in a manner and volume that amounts to an "abuse of the bar disciplinary process."
- Specifies who can file a grievance with the State Bar.

S.L. 2024-25 also requires the State Bar to adopt rules to implement an expungement process for certain disciplinary actions against respondent attorneys by the State Bar, as recommended by the State Bar Review Committee.

This act became effective August 1, 2024, and applies to grievances filed on or after that date.

## **Exempt Certain Activities From Requiring Licensure as a Barber or Cosmetologist – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 3

Section 3 of S.L. 2024-45 exempts certain employees whose duties are confined to shampooing or blow drying from having to become licensed as a barber or cosmetologist.

This section became effective July 9, 2024.

## **Increase the Amount of Training Required for Licensure by the North Carolina Board of Massage and Bodywork Therapy – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 4

Section 4 of S.L. 2024-45 increases the number of in-class, supervised instruction hours necessary for licensure as a massage and bodywork therapist from 500 to 650.

This section became effective July 1, 2024, and applies to licenses issued on or after that date.

## **Repeal the Residency Requirement for Electrologists – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 5

Section 5 of S.L. 2024-45 repeals the residency requirement for licensed electrologists.

This section became effective July 9, 2024.

## **Amend Effective Dates for Rules Submitted to the Codifier of Rules by Certain Agencies Exempt From the Standard Rulemaking Process – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 6

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

## **Facilitate the Elimination of Nonresponsive Boards, Committees, and Commissions – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 7

Section 7 of S.L. 2024-45 directs the Legislative Library to send a request to all licensing boards, committees, and commissions for (i) a membership list, (ii) last reported minutes, (iii) current bylaws, and (iv) a list of the entities to which reports must be submitted. Any board, committee, or commission that does not respond within 120 days or that has not met in the previous year will be placed on a list that will be submitted to the Joint Legislative Administrative Procedure Oversight Committee. The Committee is directed to recommend legislation to the 2025 General Assembly facilitating the elimination of the boards, committees, and commissions on the list.

This section became effective July 9, 2024.

# Property, Trusts, and Estates

See full summary documents for additional detail

## **Human Trafficking Changes.**

SL 2024-26 (H971)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

## **Insurance Revisions/Online Auctions/Firefighters.**

SL 2024-29 (S319)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

## **Allow School Boards to Use Eminent Domain for Easements – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 5

[For a detailed summary of the provisions of this act, please see the EDUCATION subject area.]

## **Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556)

Section 1 of S.L. 2024-47 codifies common law rules governing concurrent ownership of real property as tenants in common.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Section 1 of the act became effective September 9, 2024.

## **Preemption of Local Regulations – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 7

Section 7 of S.L. 2024-47 prohibits counties and cities from adopting certain ordinances or resolutions that would prohibit landlords from refusing to rent to a tenant because the tenant's lawful source of income to pay rent includes funding from a federal housing assistance program.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This section of the act became effective September 9, 2024.

**Summary Ejectment and Small Claims Action Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Secs. 8-9

[For a detailed summary of the provisions of this act, please see the CIVIL LAW AND PROCEDURE subject area.]



# Retirement

**See full summary documents for additional detail**

## **Corrections Pertaining to the University of North Carolina Health Care System and East Carolina University – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 1.7

[For a detailed summary of the provisions of this act, please see the HEALTH AND HUMAN SERVICES subject area.]

## **Retirement Administrative Changes Act of 2024.**

SL 2024-8 (H1020)

S.L. 2024-8 makes the following administrative and technical changes to the Teachers' and State Employees' Retirement System (TSERS), the Local Governmental Employees' Retirement System (LGERS), the Consolidated Judicial Retirement System (CJRS), the Legislative Retirement System (LRS) and related statutes:

- Clarifies that participation in the optional retirement program or a similar benefit plan offered by the University of North Carolina Health Care System, or the East Carolina University Health Care System, suspends the receipt of retirement allowance under TSERS.
- Prohibits a member of TSERS, LGERS, or CJRS from receiving a retirement allowance while also receiving severance pay or a lump sum severance.
- Modifies employer reporting requirements in TSERS and LGERS.
- Allows for a member of LRS who has applied and been approved for retirement but dies before receiving the first payment, to have their monthly benefit payable under their elections.
- Permits the Board of Trustees to allocate Legislative Enactment Implementation Arrangement funds for administrative or information technology purposes.
- Allows certain part-time employees, as well as part-time and full-time employees of a State agency or institution, to contribute to the 401(k) Supplemental Retirement Income Plan.
- Amends the required reporting dates for unclaimed property holders and allows unclaimed property holders to request for a waiver of due diligence in special circumstances.

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

## **2024 Retirement Technical Corrections.**

SL 2024-9 (H988)

S.L. 2024-9 makes technical corrections to the statutes for the Teachers' and State Employees' Retirement System (TSERS), the Local Governmental Employees' Retirement System (LGERS), the Consolidated Judicial Retirement System (CJRS), the Legislative Retirement System (LRS), and the State Health Plan. The following is a broad outline of the changes made in the act: (i) corrects the title of the Executive Director of the Retirement Systems Division in various statutes; (ii) corrects references to Average Final Compensation; (iii) conforms the lump sum contribution payment criteria to federal law; and (iv) makes several other technical and conforming changes. Additional detail regarding statutory changes are provided in the Bill Analysis section of the summary.

The act became effective June 20, 2024.

## **Retirement Service Purchase Rewrite Part III.**

SL 2024-10 (H989)

S.L. 2024-10 recodifies, consolidates, and standardizes retirement service purchase among the Teachers and State Employees' Retirement System (TSERS) (Part I), Local Governmental Employees' Retirement System (LGERS) (Part II), Consolidated Judicial Retirement System (CJRS) (Part III), and Legislative Retirement System (LRS) (Part IV). It also makes conforming changes to all four systems. The act is the last in a three-act series rewriting the service purchase statutes.

This act became effective June 20, 2024.

## **Insurance Revisions/Online Auctions/Firefighters.**

SL 2024-29 (S319)

[For a detailed summary of the provisions of this act, please see the INSURANCE subject area.]

## **Charter Schools/Pension/Employee Stock Ownership Plan.**

SL 2024-42 (S559)

S.L. 2024-42 allows four specified charter school boards of directors to elect participation in the North Carolina State Health Plan for Teachers' and State Employees' (SHP); amends the law to create additional flexibility for charter schools to elect participation in the SHP; makes conforming and effective date changes for the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund; addresses parental leave for charter school employees; and clarifies the definition of an historically underutilized business as it relates to an Employee Stock Ownership Plan. See below for additional information and effective dates.

- Section 1 of S.L. 2024-42 notwithstanding the time limitation in current law (G.S. 135-48.54) to allow the board of directors for the following charter schools to elect to participate in

the N.C. State Health Plan: NC Leadership Academy in Forsyth County, Alpha Academy in Cumberland County, Durham Charter in Durham County, and United Community School in Mecklenburg County. This section became effective July 8, 2024.

- Section 2 of the act amends the law (G.S. 135-48.54) regarding the process for a charter school operated by a private nonprofit corporation or operated by a municipality to elect participation in the State Health Plan. These charter schools can elect to become a participating employer in the State Health Plan through the following two methods: (i) the board of directors of the charter school can elect to participate no later than two years from the date both parties have signed the written charter (under G.S. 115C-218.15); or (ii) the board of directors can elect to participate any time after that two-year mark if the board files an application with the Board of Trustees for participation in the Plan and the Board approves the application. The approval or denial of the application must be made within 180 days of receipt of a complete application and if approved the written notification of approval must provide the date for the charter school employees to be enrolled. This section became effective 30 days after the act became law on July 8, 2024.
- Section 3 of the act amends the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund (FFRSWP Fund) as follows:
  - Section 3(a) amends the retroactive membership law for the FFRSWP Fund effective January 1, 2025, to increase the membership dues from \$10 to \$15 per month for retroactive membership. This change conforms to the dues increase contained in S.L. 2024-29. This section became effective July 8, 2024.
  - Section 3(b) of the act amends Section 11.3 of S.L. 2024-29, effective January 1, 2025, to change the date from July 1, 2024, to January 1, 2025, that an eligible retired firefighter or rescue squad worker receives a \$175 per month pension. This section became effective July 8, 2024.
  - Section 3(c) of the act applies to Sections 11.1 through 11.3 of S.L. 2024-29, as amended by Section 3(b) and Section 3(a) of this act, to provide that these sections apply to membership contributions to the FFRSWP Fund on or after January 1, 2025. Any membership contribution payments made on or before March 31, 2025, for service in the 2024 calendar year, will be \$10 per month. These sections apply to pension benefit amounts payable from the FFRSWP Fund to a member or beneficiary on or after January 1, 2025. If a member or beneficiary becomes eligible to receive a pension benefit from the FFRSWP Fund on or before December 31, 2024, but the benefit amount is paid on or after January 1, 2025, the pension amount due to the member or beneficiary is the amount applicable to the pension benefit amount that was effective for each respective month to which the benefit applies. This section became effective July 8, 2024.
  - Section 3(d) of the act changed the effective date to January 1, 2025, for Sections 11.1 through 11.3 of S.L. 2024-29. This section became effective July 8, 2024.
- Section 4 of the act allows boards of directors of charter schools that contract with education management organizations (EMOs) or charter management organizations (CMOs) to require the EMOs or CMOs to provide paid parental leave to the teachers they employ for the charter schools. This leave must be consistent with the parental leave provided to public school teachers employed by local boards of education. If a board of

directors requires the EMO or CMO to provide the parental leave by contract, then the board of directors is eligible to receive funds for substitute teachers. This section became effective July 8, 2024, and applies beginning with the 2024-2025 school year.

- Section 5 of the act amends the term "historically underutilized business" (G.S. 143-128.4) regarding an Employee Stock Ownership Plan (ESOP). For an ESOP company to qualify for certification as an historically underutilized business, at least 51% of the company's plan participants must be members of at least one of the following groups listed and defined in G.S. 143-128.4(b): Black, Hispanic, Asian American, American Indian, Female, Disabled, Disadvantaged. Further, an ESOP company seeking to be certified as an historically underutilized business must provide an attestation that it meets the requirements for certification and provide supporting documentation as may be required by the Secretary of Administration. This section became effective July 1, 2024. (Note: The content of this section was also enacted in Section 5 of S.L. 2024-44 with the same effective date.)

# State Government

**See full summary documents for additional detail**

## **Treatment of Religious Institutions During a State of Emergency – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 3

Section 3 of S.L. 2024-16 prevents the executive branch or local governments from distinguishing between religious institutions and other entities during an emergency in a way that imposes additional limitations on religious institutions.

This bill was vetoed by the Governor on June 21, 2024, and the veto was overridden by the General Assembly on June 27, 2024.

This section becomes effective October 1, 2024, and applies to any emergency orders or regulations in effect on or after that date.

## **Office of State Human Resources/Various State Human Resources Act Changes.**

SL 2024-23 (H223)

S.L. 2024-23 makes various technical and clarifying changes to the State Human Resources Act and related statutes and does the following:

- Requires the State Human Resources Commission (Commission) to adopt rules or policies mandating that a closing date be posted for each job opening unless an exception for critical classifications has been approved by the Commission or through a special exception through the Office of State Human Resources.
- Clarifies that a potential State or local government supervisor can inspect confidential information in a personnel file to prevent application fraud.
- Removes the requirement that job openings be filled no sooner than 21 days after listing.
- Grants the Commission the authority to adopt temporary rules and permanent rules to allow local agencies to hire and pay trainees for local government positions that are subject to the State Human Resources Act.
- Allows an applicant for State employment or a State employee to allege denial of National Guard preference and file for a contested case hearing after following the grievance appeal process.
- Makes clarifications to the statutes addressing fraudulent disclosure and willful nondisclosure on an application for State employment and the laws governing the Temporary Solutions Program.
- Permits the Department of Health and Human Services (DHHS) to directly hire temporary employees into vacant positions if certain criteria are met and requires DHHS to report on the number and types of positions filled under this temporary authority by July 1, 2025. This section expires 180 calendar days from the date of enactment.

Except as otherwise provided, this act became effective June 28, 2024.

**SHALOM (Standing Up to Hate and Leading with Our Moral Principles) Act.**

SL 2024-27 (H942)

S.L. 2024-27 adopts a definition of antisemitism as a tool and guide for recognizing, combating, tracking, and reporting antisemitic incidents in North Carolina, and informing related training and education.

This act became effective July 1, 2024.

**Establish Annual Great Trails State Day – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 16

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

**Amend Composition of the North Carolina Sentinel Landscapes Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 17

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

**Add One Member to the Community Conservation Assistance Program Advisory Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 18

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

**Cooperative Extension Technical Changes – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 19

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Board of Crop Seed Improvement and Seed Board Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 20

[For a detailed summary of the provisions of this act, please see the AGRICULTURE AND WILDLIFE subject area.]

## **Various General Local Laws.**

SL 2024-38 (H593)

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

## **Charter Schools/Pension/Employee Stock Ownership Plan.**

SL 2024-42 (S559)

[For a detailed summary of the provisions of this act, please see the RETIREMENT subject area.]

## **C-PACE Program.**

SL 2024-44 (S802)

[For a detailed summary of the provisions of this act, please see the COMMERCIAL LAW AND CONSUMER PROTECTION subject area.]

## **Amend Effective Dates for Rules Submitted to the Codifier of Rules by Certain Agencies Exempt From the Standard Rulemaking Process – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 6

Section 6 of S.L. 2024-45 provides that any rules adopted by State agencies that are exempt from the standard rulemaking requirements under the Administrative Procedure Act, including the State Bar, become effective on the first day of the month following submission to the Codifier of Rules for publication in the North Carolina Administrative Code.

This section became effective July 9, 2024.

## **Delivery of Permits Issued by State Agencies – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 22.1

Section 22.1 of S.L. 2024-45 requires executive branch, county, and city agencies to establish a policy to send permits issued by the agency using certain methods instead of requiring the permittee to receive in-person delivery at an office or physical location.

This section became effective July 9, 2024.

## **Eliminate Annual Report on State Employees Who Have Been Work First Recipients – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 31

Section 31 of S.L. 2024-25 eliminates the requirement that the Director of the Budget annually report to the General Assembly on the number of State employees who are Work First Program recipients.

This section became effective July 9, 2024.

## **Notary Public Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 2-6

Sections 2-6 of S.L. 2024-47 extend the expiration dates on emergency video notarizations and emergency video witnessing from June 30, 2024, to July 1, 2025, and amend confidentiality and geolocation technology requirements in North Carolina's notary public laws.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Sections 3, 4, and 5 of this act became effective July 1, 2024. Sections 2 and 6 became effective September 9, 2024.



# Transportation

See full summary documents for additional detail

## **Clarify Modification of the Floodplain Regulation Statutes to Deem Certain Airport Projects Permitted as Enacted in Session Law 2023-137 – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 4.7

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

## **Clarify Division of Motor Vehicles Authority to Implement Transaction Fees on Electronic Payments – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 10.1

Section 10.1 of S.L. 2024-1 makes a clarifying change to a provision enacted in 2023 authorizing the Division of Motor Vehicles (DMV) to add transaction fees to electronic payment transactions. This section makes clear this fee authority applies to all electronic payments accepted by the DMV, notwithstanding a separate general statutory provision governing electronic transaction fees implemented by public agencies.

This section became effective July 1, 2024.

## **Repeal Extension of Drivers License Duration and Allowance of Unlimited Remote Drivers License Renewals – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 10.3

Section 10.3 of S.L. 2024-1 repeals the extension of drivers license duration and the allowance for unlimited remote drivers license renewals.

This section became effective July 1, 2023.

## **Exempt Public Transportation From For-Hire Ground Transport Excise Tax – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 11.1

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

## **North Carolina Department of Transportation Legislative Changes.**

SL 2024-15 (H198)

S.L. 2024-15 makes various changes to transportation laws and laws that relate to the North Carolina Department of Transportation.

This bill was vetoed by the Governor on May 23, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This act has various effective dates. Please see the full summary for more detail.

## **Increase Penalty for Impeding Road During a Demonstration – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 4

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

## **Division of Motor Vehicles Proposed Legislative Changes.**

SL 2024-30 (H199)

S.L. 2024-30 makes the following changes to laws related to motor vehicles:

- Directs the Division of Motor Vehicles (DMV) to study and implement a plan for issuance of a digital version of a drivers license that can be displayed on a mobile device as a supplement to a traditional drivers license and authorizes issuance of mobile drivers licenses.
- Requires ignition interlock as a condition for restoration of a drivers license after certain revocations based on a conviction of death by motor vehicle.
- Increases the notary fee for DMV employees and officers.
- Clarifies circumstances under which transporter plates may be used.
- Requires DMV to study using alternative materials for registration plates.
- Requires DMV to study ways to modernize issuance of dealer plates.
- Conforms statutory odometer disclosure requirement to the federal requirement.
- Requires DMV to implement a print-on-demand system for issuance of temporary registration plates.
- Requires all headlamps modified or installed on a motor vehicle to comply with the federal motor vehicle safety standard.
- Increases fees for service of process upon nonresident drivers.
- Clarifies the process by which a lienor must notify owners of personal property subject to a lien prior to selling the property to satisfy the lien.
- Requires rental car companies, when renting light cargo vehicles, to make a good faith effort to recover as part of the rental transaction no more than the actual costs incurred for license and registration fees, in the same manner as is required when renting passenger vehicles.

- Authorizes remote electronic notarization and electronic signatures for motor vehicle transactions.
- Extends the duration of temporary registration plates issued by dealers from 30 to 60 days, and increases from 20 to 60 the number of days within which a dealer must mail or deliver a vehicle purchaser's application and fees for titling and registration to DMV for processing.
- Amends statutes related to commercial drivers licensing to comply with federal requirements.
- Amends the law as it relates to DMV commission contractors.
- Requires DMV to develop a highway work zone safety training course.
- Makes changes to the statute requiring DMV to contract with online motor vehicle registration vendors.
- Amends exemptions applicable to covered farm vehicles.
- Increases the fee for an annual oversize/overweight permit to move commodities and allows electric vehicle batteries to be transported as a nondivisible load for permitting purposes with the payment of an additional fee.
- Repeals provisions that would have made use of L/D plates mandatory for service loaner vehicles in 2025, so they remain optional for dealers.
- Authorizes Home of the Venus Flytrap and North Carolina School of Science and Mathematics special registration plates.
- Amends the definition of "established salesroom" to provide that a dealer is not prohibited from sharing a building with another business as long as requirements for a salesroom are met.
- Increases the licensing period for motor vehicle dealers from one year to two years, and makes other clarifying changes to the licensing statute.
- Increases the penalties for littering.
- Clarifies that Civilian Traffic Investigators employed by municipalities are not required to be licensed as private investigators.
- Increases from \$8 to \$10 the maximum tax rate transportation authorities may levy for registered motor vehicles.
- Requires the Department of Transportation (DOT) to contract with a private entity to administer the logo sign program.
- Adds clarifying language to statutes related to Turnpike Authority projects.
- Requires the CFO of DOT to align its internal ledger and business practices with its certified budget in accordance with Government Accounting Standards Board standards.
- Designates an overpass being constructed in Columbus County as the "Waccamaw Siouan Tribe Bridge".

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

### **Motor Vehicle Registration Tax – DMV Proposed Legislative Changes.**

SL 2024-30 (H199), Sec. 30

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

### **Various General Local Laws.**

SL 2024-38 (H593)

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

### **Amend Eligibility for Alcoholic Beverage Sales on Trains – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 11

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

### **Allow Possession and Consumption of Alcoholic Beverages in the Security-Screened Area of Airports – ABC Omnibus 2023-24.**

SL 2024-41 (S527), Sec. 31

[For a detailed summary of the provisions of this act, please see the ALCOHOLIC BEVERAGE CONTROL subject area.]

### **Limited Driving Privileges/ Restoration of License Modifications – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 2

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Automatic License Plate Reader System Pilot Modifications – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 3

Section 3 of S.L. 2024-43 amends Section 5 of S.L. 2023-151 to make various modifications to the automatic license plate reader system pilot program administered by the State Bureau of Investigation in conjunction with the Department of Transportation.

This section became effective July 8, 2024.

## **Clarify Minimum Age for Escort Vehicle Drivers, Allow Third Party Training and Certification, and Create Additional Requirements for Escort Vehicles – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19

Section 19 of S.L. 2024-45 makes changes to the Department of Transportation (DOT) training and certification program for drivers of escort vehicles that accompany permitted oversize/overweight loads.

This section became effective July 9, 2024.

## **Authorize Department of Transportation to Utilize Contract Methodology Flexibility for National Electric Vehicle Infrastructure Formula Program Projects – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.1

Section 19.1 of S.L. 2024-45 gives the Department of Transportation (DOT) contracting methodology flexibility for National Electric Vehicle Infrastructure (NEVI) Formula Program projects.

This section became effective July 9, 2024.

## **Division of Motor Vehicles Modernization – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.2

Section 19.2 of S.L. 2024-45 provides for evaluation and oversight of Division of Motor Vehicles (DMV) modernization efforts.

This section became effective July 9, 2024.

## **North Carolina Railroad Board of Directors and Related Clarifications – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.3

Section 19.3 of S.L. 2024-45 amends appointments to the North Carolina Railroad Board of Directors and makes technical and clarifying changes to statutes related to State-owned railroad companies.

This section became effective July 9, 2024.

## **Authorize Rail Transportation Corridor Authority – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 19.4

Section 19.4 of S.L. 2024-45 authorizes the creation of a Railroad Transportation Corridor Authority (Authority).

This section became effective July 9, 2024.

## **Titles for Off-Road Vehicles/Low-Speed Vehicle Inspections.**

SL 2024-46 (H155)

S.L. 2024-46 does the following:

- Authorizes the Division of Motor Vehicles to issue certificates of title for all-terrain vehicles and utility vehicles.
- Removes travel-lane based operation limitation on modified utility vehicles.
- Authorizes off-site safety inspections of low-speed vehicles by licensed safety inspection stations.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This act has various effective dates. Please see full summary for more details.

# Utilities

See full summary documents for additional detail

## **Clarify Changes to On-Site Wastewater Statutes – 2023 Budget Technical/Other Corrections.**

SL 2024-1 (S508), Sec. 3.9

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

## **Completing Access to Broadband Program Changes – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.1

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **BEAD Deployment – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.2

[For a detailed summary of the provisions of this act, please see the VETOED LEGISLATION subject area.]

## **Modify Rural Electrification Authority/Fee Update – Public Safety/Other Changes.**

SL 2024-43 (H250), Sec. 4

Section 4 of S.L. 2024-43 increases the maximum fee that the Rural Electrification Authority (Authority) can charge telephone and electric membership corporations from four cents (4¢) to six cents (6¢) for each electric membership corporation's meter connected for service in the State and for each telephone membership corporation's access line connected for service in the State for each quarter of the year.

This section became effective July 8, 2024.

## **Increase Penalty Property Crimes Against Critical Infrastructure – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 9

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

**Expand Requirements for Issuance of 401 Certifications by the Department of Environmental Quality to Projects Located at an Existing or Former Electric Generating Facility – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 11

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

**Prohibit Public Water and Sewer Systems from Imposing Unauthorized Conditions and Implementing Preference Systems for Allocating Service for Residential Development – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 12

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]

**Natural Gas Local Distribution Companies Cost Recovery Modifications – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 13

Section 13 of S.L. 2024-45 amends statutes governing cost recovery for natural gas local distribution companies to provide that the Utilities Commission can authorize a rate adjustment mechanism for a company's recovery of costs to produce, purchase, and transport natural gas, which can include gas derived from renewable energy biomass resources. For purposes of the provision, "renewable energy biomass" includes agricultural waste, animal waste, wood waste, spent pulping liquors, organic waste, combustible residues, combustible gases, energy crops, landfill methane, or domestic wastewater. The company is prohibited, however, from recovering the incremental cost of natural gas attributable to renewable energy biomass resources that exceeds the average system cost of gas unattributable to renewable energy biomass resources.

This section became effective July 9, 2024, and applies to rate case proceedings filed on or after that date.

**Require the Department of Environmental Quality to Report Quarterly on Applications for Permits Required for Natural Gas Pipelines and Gas-Fired Electric Generating Facilities – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 28

[For a detailed summary of the provisions of this act, please see the ENVIRONMENT, NATURAL RESOURCES, AND ENERGY subject area.]



## **2024 Building Code Regulatory Reform.**

SL 2024-49 (S166)

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

# Vetoed Legislation

See full summary documents for additional detail

## **Statutory Changes for Department of Public Instruction Funding in Arrears – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 6.2

OVERVIEW and ANALYSIS: Section 6.2 of House Bill 10 would remove statutory language that directed the State Board of Education (SBE) to allocate funds for the purpose of operating kindergarten in each local school administrative unit (LEA) based on the average daily membership for the best continuous three out of the first four school months of students in kindergarten during the last school year in the LEA. In addition, the section would remove statutory language that states that an LEA would not become ineligible for funding if either the highest of the first two months' total projected average daily membership for the current year or the higher of the first two months' total prior year average daily membership would have otherwise made the LEA eligible for a small county allotment.

This section would further provide that eligibility for funding is based on the allotted average daily membership of the LEA and that the initial allocation would be based on the allotted daily membership of the LEA and would not be adjusted for current year actual average daily membership.

Finally, the section would make appropriations changes for the 2024-2025 fiscal year to accommodate the transition to an arrears based funding model as well as changes in average salaries, special population headcounts, and other technical adjustments.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

## **Retroactive Payments for Scholarship Funds – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 6.5A

Section 6.5A would direct the North Carolina State Education Assistance Authority (NCSEAA) to distribute additional funds for Opportunity Scholarship and Personal Education Student Account for Children with Disabilities (PESA) awards as soon as practicable. To be eligible for an award, a student would have to meet the following criteria:

- Have submitted an application for the 2024-2025 school year by March 1, 2024.
- Be otherwise eligible to receive a scholarship award but have not yet received an award. A student who received a PESA award for the fall semester and is also eligible to receive an Opportunity Scholarship award would receive an Opportunity Scholarship award for the spring semester only.

- Be enrolled in an eligible nonpublic school by October 1, 2024, and remain continuously enrolled in the same school for the spring semester.

Section 6.5A would also require nonpublic schools receiving scholarship funds from NCSEAA on behalf of an eligible student to directly reimburse any tuition and fees paid by the student's parent or guardian, up to the amount disbursed by NCSEAA, within 60 days of receiving the scholarship funds. The nonpublic school would be responsible for arranging the method of reimbursement with the parent or guardian.

Section 6.5A would make the following changes to reporting requirements:

- For the 2024-2025 fiscal year, NCSEAA would report the nonpublic schools in which scholarship grant recipients are enrolled and award amounts per recipient to the Department of Public Instruction (DPI) by April 1, 2025.
- For the 2024-2025 fiscal year, the Department of Public Instruction would report to the Joint Legislative Education Oversight Committee (JLEOC) on the cumulative difference between the scholarship grant award amount for each prior public school attendee enrolled in a nonpublic school and the average State per pupil allocation by June 1, 2025.
- No later than April 1, 2025, NCSEAA would report to JLEOC on any reasons eligible students did not receive an award of scholarship funds for the fall semester of the 2024-2025 school year and the number of students impacted by each reason.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

### **Require Sheriffs to Cooperate with ICE – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 9.1

Section 9.1 of House Bill 10 would do 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 is in custody and that person's legal residency or United States citizenship status is undetermined.
- Require a judicial official to order that a prisoner subject to a detainer and administrative warrant be held in custody until ICE resolves the request or 48 hours, whichever occurs first.
- Appropriate \$278,994 in recurring funds to hire two full-time jail inspectors.

HB 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

## **Completing Access to Broadband Program Changes – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.1

Section 10.1 of House Bill 10 would make certain changes to the Completing Access to Broadband (CAB) Program, which include:

- Directing the Department of Information Technology (DIT) to utilize up to \$190 million of funds appropriated to the CAB Program, to provide the county project cost responsibility for the 37 counties that had committed, as of May 1, 2024, to participate in the CAB Program and provide the county's cost share match.
- Requiring broadband service providers selected for a project under the CAB Program to provide at least 30% of the total estimated project cost.
- Eliminating the requirement that county governments provide at least 35% of the total estimated project costs.
- Eliminating the requirement that county governments provide DIT its portion of total estimated project costs upon executing an agreement with a broadband service provider.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

## **BEAD Deployment – Require ICE Cooperation & Budget Adjustments.**

Ratified (H10), Sec. 10.2

Section 10.2 of House Bill 10 would make various changes to the laws that relate to broadband deployment and the Department of Information Technology (DIT), which include:

- Establishing the Growing Rural Economies with Access to Technology for Broadband Equity, Access, and Deployment Fund (GREAT 3.0 Fund), as a special revenue fund in DIT, to pay for infrastructure costs of projects designed to extend broadband service to unserved and underserved areas and to community anchor institutions.
- Directing the Broadband Infrastructure Office in DIT to implement a competitive subgrantee selection process in conformance with the Broadband Equity, Access, and Deployment (BEAD) Program from the Infrastructure Investment and Jobs Act (P.L. 117-58).
- Requiring DIT to submit annual and periodic reports concerning the implementation of the GREAT 3.0 Program to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division.
- Appropriating to DIT up to \$23 million in federal funds received for digital literacy from the State Digital Equity Capacity Grant Program under the Infrastructure Investment and Jobs Act (P.L. 117-58), to be used in accordance with the North Carolina Digital Equity Plan.
- Eliminating the sunset provision for the Broadband Pole Replacement Program, which is set to expire on December 31, 2024.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

**North Carolina Department of Transportation Legislative Changes.**

SL 2024-15 (H198)

[For a detailed summary of the provisions of this act, please see the TRANSPORTATION subject area.]

**Increase Frequency of Tax Revenue Transfer to Highway Fund – North Carolina Department of Transportation Legislative Changes.**

SL 2024-15 (H198), Sec. 18

[For a detailed summary of the provisions of this act, please see the FINANCE subject area.]

**Mask Exemption Modifications – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 1

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

**Enhance Punishment if the Defendant was Wearing a Mask – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 2

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

**Treatment of Religious Institutions During a State of Emergency – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 3

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

**Increase Penalty for Impeding Road During a Demonstration – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 4

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Various Criminal and Election Law Changes.**

SL 2024-16 (H237)

[For a detailed summary of the provisions of this act, please see the CONSTITUTION AND ELECTIONS subject area.]

### **Juvenile Justice Modifications.**

SL 2024-17 (H834)

[For a detailed summary of the provisions of this act, please see the CRIMINAL LAW AND PROCEDURE subject area.]

### **Titles for Off-Road Vehicles/Low-Speed Vehicle Inspections.**

SL 2024-46 (H155)

[For a detailed summary of the provisions of this act, please see the TRANSPORTATION subject area.]

### **Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556)

[For a detailed summary of the provisions of this act, please see the PROPERTY, TRUSTS, AND ESTATES subject area.]

### **Notary Public Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 2-6

[For a detailed summary of the provisions of this act, please see the STATE GOVERNMENT subject area.]

### **Preemption of Local Regulations – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 7

[For a detailed summary of the provisions of this act, please see the PROPERTY, TRUSTS, AND ESTATES subject area.]

## **Summary Ejectment and Small Claims Action Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Secs. 8-9

[For a detailed summary of the provisions of this act, please see the CIVIL LAW AND PROCEDURE subject area.]

## **No Central Bank Digital Currency Payments to the State.**

SL 2024-48 (H690)

[For a detailed summary of the provisions of this act, please see the COMMERCIAL LAW AND CONSUMER PROTECTION subject area.]

## **2024 Building Code Regulatory Reform.**

SL 2024-49 (S166)

[For a detailed summary of the provisions of this act, please see the LOCAL GOVERNMENT subject area.]

## **Recording of Court-Filed Documents.**

Ratified (S445)

SB 445 would do the following:

- Exempt any certified copy of a court-filed document from formatting requirements applicable to paper documents presented to a register of deeds for registration.
- Begin the small claims appeal period when a judgment is rendered.
- Require written findings of indigency in small claims appeals.
- Modify criteria for plaintiff's motion to dismiss summary ejectment appeal.
- Require the clerk to disburse certain payments made during summary ejectment appeal within five days of request.
- Increase punishment for willful and wanton damage to the residential real property of another.
- Prohibit fraudulent rental, lease, or advertisement for sale of residential real property.

SB 445 was ratified by the General Assembly on June 28, 2024, and vetoed by the Governor on July 8, 2024. A majority of the Senate voted to override the veto on September 9, 2024.