

# Legislative Bulletin

A Summary of New Laws  
Affecting North Carolina Lawyers

Prepared by the Governmental Affairs Team

North Carolina Bar Association

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# NORTH CAROLINA BAR ASSOCIATION

seeking liberty + justice

The Legislative Bulletin is provided as a service of the NCBA Government Affairs Team. Included is a summary of bills passed since the first issue of the Legislative Bulletin, September 17, 2019, through November 18, 2019. These bills either were tracked by a section or committee of the NCBA or that was independently tracked by the Government Affairs Team during the 2019 session of the General Assembly. These summaries are designed to put you on notice of changes made in the statutes this session which may affect your practice. They are not intended to instruct you fully as to those changes; there is no substitute for reading the Session Laws themselves. Our purpose is to offer a tool to assist in your practice and we hope you will find that this publication serves your purpose. The Office of Governmental Affairs plans to produce an additional publication after January's special session.

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# Table of contents

4 | Long Session Demographics & Statistics

5 | Lawyer Legislator Profiles

11 | Summaries of Enacted Legislation Organized by Practice Area

11 | Administrative Law

11 | Business Law

11 | Constitutional Law

12 | Construction Law

12 | Criminal Justice

13 | Education Law

14 | Elder & Special Needs Law

14 | Environment, Energy & Natural Resources Law

14 | Estate Planning & Fiduciary Law

15 | Family Law

15 | General Interest

16 | Government & Public Sector

17 | Health Law

18 | Insurance Law

19 | Juvenile Justice & Children's Rights

20 | Litigation

20 | Military & Veterans Law

20 | Real Property

20 | Sports & Entertainment Law

20 | Tax

21 | Zoning, Planning & Land Use

# North Carolina General Assembly

## Short Session Demographics & Statistics

### House of Representatives

120 Members (75 Republicans, 45 Democrats)

#### Leadership:

- Speaker:  
Tim Moore (R)\*
- Speaker Pro Tempore:  
Rep. Sarah Stevens (R)\*
- Majority Leader:  
Rep. John Bell (R)
- Democratic Leader:  
Rep. Darren G. Jackson (D)\*

### Senate

50 Members (35 Republicans, 15 Democrats)

#### Leadership:

- President:  
Lt. Governor Dan Forest (R)
- President Pro Tempore:  
Sen. Phil Berger (R)\*
- Majority Leader:  
Sen. Harry Brown (R)
- Democratic Leader:  
Sen Dan Blue (D)\*

\* = Lawyer Legislator

- 2019 Long Session convened January 9, 2019 and adjourned October 31, 2019. The legislature reconvened for a special session on November 13, 2019, and adjourned again on November 15, 2019. They will be back for another special session on January 14, 2020.
- 1,733 bills and resolutions filed in the long session to date.
  - House of Representatives: 1,031 bills
  - Senate: 702 bills
- 251 laws enacted as of November 18, 2019.
- 14 vetoes

# HOUSE OF REPRESENTATIVES

*North Carolina Bar Association members are underlined.*



**Rep. Sydney Batch (D)**  
District 37  
Wake

ELECTIONS AND ETHICS;  
FINANCE; JUDICIARY; STATE  
AND LOCAL GOVERNMENT



**Rep. Chaz Beasley (D)**  
District 92  
Mecklenburg

APPROPRIATIONS;  
APPROPRIATIONS –  
TRANSPORTATION;  
EDUCATION K-12; INSURANCE;  
JUDICIARY; RULES



**Rep. Hugh Blackwell (R)**  
District 86  
Burke

EDUCATION K-12, VICE  
CHAIR  
APPROPRIATIONS;  
ELECTIONS AND ETHICS;  
HEALTH; JUDICIARY;  
REGULATORY REFORM;  
TRANSPORTATION



**Rep. Scott Brewer (D)**  
District 66  
Montgomery, Richmond,  
Stanly  
*Appointed 5/1/19*

APPROPRIATIONS;  
APPROPRIATIONS – JPS;  
EDUCATION K-12; JUDICIARY;  
REGULATORY REFORM



**Rep. Deb Butler (D)**  
*House Democratic Whip*  
District 18  
Brunswick, New  
Hanover

BANKING; COMMERCE;  
FINANCE; REDISTRICTING;  
TRANSPORTATION



**Rep. Ted Davis, Jr. (R)**  
District 19  
New Hanover

JUDICIARY, SR. CHAIR  
APPROPRIATIONS – JPS, CHAIR  
EDUCATION – UNIVERSITIES,  
CHAIR  
APPROPRIATIONS, VICE CHAIR  
ELECTIONS AND ETHICS;  
ENVIRONMENT; SELECT  
COMMITTEE ON SCHOOL SAFETY;  
RULES



**Rep. Terence Everitt (D)**

District 35  
Wake

BANKING; COMMERCE;  
FINANCE; JUDICIARY



**Rep. Holly Grange (R)**

*House Deputy Conference  
Chair*

District 20  
New Hanover

BANKING, CHAIR  
ELECTIONS AND ETHICS, CHAIR  
HOMELAND SECURITY, MILITARY,  
AND VETERANS AFFAIRS, VICE-  
CHAIR

APPROPRIATIONS;  
APPROPRIATIONS – EDUCATION;  
SELECT COMMITTEE ON SCHOOL  
SAFETY; REDISTRICTING; RULES



**Rep. Destin Hall (R)**

District 87  
Caldwell

ELECTIONS AND ETHICS,  
CHAIR  
REDISTRICTING, CHAIR  
JUDICIARY, VICE CHAIR

COMMERCE; ENERGY AND  
PUBLIC UTILITIES; FINANCE



**Rep. Rachel Hunt (D)**

District 103  
Mecklenburg

AGING; AGRICULTURE;  
APPROPRIATIONS;  
APPROPRIATIONS – CAPITAL;  
EDUCATION – COMMUNITY  
COLLEGES; JUDICIARY



**Rep. Darren Jackson (D)**

*Democratic Leader*

District 39  
Wake

APPROPRIATIONS;  
EDUCATION – UNIVERSITIES;  
ELECTIONS AND ETHICS;  
FINANCE; RULES



**Rep. Joe John (D)**

District 40  
Wake

AGING; APPROPRIATIONS;  
APPROPRIATIONS - JPS;  
JUDICIARY; TRANSPORTATION



**Rep. Brandon Lofton (D)**

District 104  
Mecklenburg

AGRICULTURE; COMMERCE;  
FINANCE; JUDICIARY; STATE  
AND LOCAL GOVERNMENT



**Rep. Grier Martin (D)**

District 34  
Wake

APPROPRIATIONS;  
APPROPRIATIONS –  
TRANSPORTATION; EDUCATION –  
UNIVERSITIES;  
HOMELAND SECURITY, MILITARY,  
AND VETERANS AFFAIRS;  
PENSIONS AND RETIREMENT;  
TRANSPORTATION



**Rep. Chuck McGrady (R)**

District 117  
Henderson

ALCOHOLIC BEVERAGE  
CONTROL, CHAIR  
APPROPRIATIONS, CHAIR  
APPROPRIATIONS –  
AGRICULTURE, VICE CHAIR  
APPROPRIATIONS –  
TRANSPORTATION, VICE  
CHAIR  
ENVIRONMENT, VICE CHAIR

AGRICULTURE; EDUCATION  
– UNIVERSITIES; SELECT  
COMMITTEE ON DISASTER  
RELIEF; JUDICIARY



**Rep. Tim Moore (R)**

*House Speaker*  
District 111  
Cleveland



**Rep. Marcia Morey (D)**

District 30  
Durham

APPROPRIATIONS;  
APPROPRIATIONS – CAPITAL;  
EDUCATION – UNIVERSITIES;  
JUDICIARY;  
TRANSPORTATION



**Rep. Robert Reives, II (D)**

District 54  
Chatham, Durham

AGRICULTURE; APPROPRIATIONS;  
APPROPRIATIONS – JPS;  
EDUCATION – COMMUNITY  
COLLEGES; SELECT COMMITTEE ON  
SCHOOL SAFETY; JUDICIARY;  
REDISTRICTING; RULES



**Rep. William "Billy" Richardson (D)**  
 District 44  
 Cumberland

APPROPRIATIONS;  
 APPROPRIATIONS – JPS;  
 ENERGY AND PUBLIC UTILITIES;  
 SELECT COMMITTEE ON DISASTER RELIEF; JUDICIARY;  
 TRANSPORTATION;  
 WILDLIFE RESOURCES



**Rep. David Rogers (R)**  
 District 112  
 Burke, Rutherford

JUDICIARY, VICE CHAIR  
 APPROPRIATIONS;  
 APPROPRIATIONS – JPS;  
 HEALTH; HOMELAND SECURITY,  
 MILITARY, AND VETERANS AFFAIRS;  
 WILDLIFE RESOURCES



**Rep. Sarah Stevens (R)**  
*Speaker Pro Tempore*  
 District 90  
 Alleghany, Surry, Stokes

JUDICIARY, CHAIR  
 APPROPRIATIONS;  
 APPROPRIATIONS – CAPITAL;  
 HOMELESSNESS, FOSTER CARE, AND DEPENDENCY;  
 SELECT COMMITTEE ON SCHOOL SAFETY;  
 REGULATORY REFORM



**Rep. Lee Zachary (R)**  
 District 73  
 Forsyth, Yadkin

JUDICIARY, VICE CHAIR  
 ALCOHOLIC BEVERAGE CONTROL;  
 EDUCATION – COMMUNITY COLLEGES;  
 EDUCATION – UNIVERSITIES;  
 ETHICS; FINANCE

## SENATE



**Sen. Phil Berger (R)**  
*Senate President Pro Tempore*  
 District 30  
 Caswell, Rockingham, Stokes, Surry



**Sen. Dan Blue (D)**  
*Senate Democratic Leader*  
 District 14  
 Wake

APPROPRIATIONS – JPS;  
 APPROPRIATIONS/BASE BUDGET; FINANCE;  
 JUDICIARY;  
 REDISTRICTING AND ELECTIONS; RULES AND OPERATIONS; SELECT COMMITTEE ON NOMINATIONS





**Sen. Danny Earl Britt Jr. (R)**

District 13  
Columbus, Robeson

APPROPRIATIONS – JPS, CHAIR  
JUDICIARY, CHAIR

APPROPRIATIONS/BASE  
BUDGET; PENSIONS AND  
RETIREMENT AND AGING;  
REDISTRICTING AND  
ELECTIONS; SELECT COMMITTEE  
ON PRISON SAFETY;  
TRANSPORTATION



**Sen. Rob Bryan (R)**

District 39  
Mecklenburg  
(Appointed 10/2/19)

APPROPRIATIONS – HEALTH  
AND HUMAN SERVICES;  
EDUCATION/HIGHER  
EDUCATION; FINANCE;  
HEALTH CARE; JUDICIARY;  
SELECT COMMITTEE ON  
NOMINATIONS



**Sen. Jay Chaudhuri (D)**

*Senate Democratic Whip*  
District 15  
Wake

APPROPRIATIONS –  
AGRICULTURE;  
APPROPRIATIONS/BASE  
BUDGET; EDUCATION/HIGHER  
EDUCATION; PENSIONS AND  
RETIREMENT AND AGING;  
RULES AND OPERATIONS



**Sen. Warren Daniel (R)**

District 46  
Avery, Burke, Caldwell

APPROPRIATIONS – JPS,  
CHAIR  
JUDICIARY, CHAIR  
REDISTRICTING AND  
ELECTIONS, CHAIR

APPROPRIATIONS/BASE  
BUDGET; FINANCE; SELECT  
COMMITTEE ON PRISON  
SAFETY; TRANSPORTATION



**Sen. Milton F. "Toby" Fitch,  
Jr. (D)**

District 4  
Edgecombe, Halifax,  
Wilson

AGRICULTURE/ENVIRONMENT/  
NATURAL RESOURCES;  
APPROPRIATIONS – JPS;  
FINANCE; JUDICIARY; SELECT  
COMMITTEE ON PRISON  
SAFETY; TRANSPORTATION



**Sen. Jeff Jackson (D)**

District 37  
Mecklenburg

AGRICULTURE/  
ENVIRONMENT/ NATURAL  
RESOURCES;  
APPROPRIATIONS – JPS;  
JUDICIARY; STATE AND  
LOCAL GOVERNMENT;  
TRANSPORTATION



**Sen. Natasha Marcus (D)**  
District 41  
Mecklenburg

APPROPRIATIONS –  
AGRICULTURE; JUDICIARY;  
REDISTRICTING AND ELECTIONS



**Sen. Floyd McKissick (D)**  
District 20  
Durham

APPROPRIATIONS – HEALTH  
AND HUMAN SERVICES;  
COMMERCE AND  
INSURANCE;  
FINANCE; JUDICIARY  
(*ADVISORY MEMBER*);  
PENSIONS AND RETIREMENT  
AND AGING; REDISTRICTING  
AND ELECTIONS; RULES AND  
OPERATIONS; SELECT  
COMMITTEE ON  
NOMINATIONS;  
SELECT COMMITTEE ON  
PRISON SAFETY



**Sen. Mujtaba Mohammed (D)**  
District 38  
Mecklenburg

APPROPRIATIONS –  
AGRICULTURE; JUDICIARY;  
STATE AND LOCAL  
GOVERNMENT



**Sen. Paul Newton (R)**  
District 36  
Cabarrus, Union

FINANCE, CHAIR  
REDISTRICTING AND  
ELECTIONS, CHAIR  
  
AGRICULTURE/  
ENVIRONMENT/ NATURAL  
RESOURCES;  
APPROPRIATIONS –  
AGRICULTURE; COMMERCE  
AND INSURANCE;  
EDUCATION – HIGHER  
EDUCATION; JUDICIARY



**Sen. Wiley Nickel (D)**  
District 16  
Wake

AGRICULTURE/ENVIRONMENT/  
NATURAL RESOURCES;  
APPROPRIATIONS –  
EDUCATION; PENSIONS AND  
RETIREMENT AND AGING



**Sen. Sam Searcy (D)**  
District 17  
Wake

APPROPRIATIONS – GENERAL  
GOVERNMENT; COMMERCE  
AND INSURANCE;  
EDUCATION/HIGHER  
EDUCATION; STATE AND  
LOCAL GOVERNMENT

*\*All information and photographs in this segment are pulled from the North Carolina General Assembly website, [www.ncleg.gov](http://www.ncleg.gov), and are current as of November 27, 2019.*

## ADMINISTRATIVE LAW

### [Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary under Health Law.

## BUSINESS LAW

### [House Bill 399 \(SL 2019-237\) - Extend Tax Credits/Other Finance Changes](#)

See summary under Tax.

### [Senate Bill 557 \(SL 2019-246\) - Various Finance Law Changes](#)

See summary under Tax.

### [House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

## CONSTITUTIONAL RIGHTS AND RESPONSIBILITIES

### [House Bill 29 \(SL 2019-221\) - Standing Up for Rape Victims Act of 2019](#)

See summary under Criminal Justice.

### [Senate Bill 683 \(SL 2019-239\) - Combat Absentee Ballot Fraud](#)

Senate Bill 683 enhances the penalties for certain violations of the law regarding absentee ballots. Additionally, the bill creates new crimes for selling completed request forms or voted ballots, and receiving payment based on a number of returned requests. For mail in absentee ballot requests, the bill requires the request to contain a photo identification of the voter or an affidavit, and requires the requestor to entirely complete the request and return it to the county board of elections. Lastly, Senate Bill 683 restores the last Saturday of early one-stop voting and allows the State Board of Elections to authorize a county to continue to use direct record electronic voting systems, under certain conditions, in the 2020 elections. Except as otherwise provided, this act becomes effective January 1, 2020, and applies to elections conducted on or after that date.

### [House Bill 29 \(SL 2019-221\) - Standing Up for Rape Victims Act of 2019](#)

See summary under Criminal Justice.

## CONSTRUCTION LAW

### [House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

## CRIMINAL JUSTICE

### [House Bill 29 \(SL 2019-221\) - Standing Up for Rape Victims Act of 2019](#)

House Bill 29 establishes processes and protocols for testing untested sexual assault kits, requires a law enforcement agency to notify the North Carolina State Crime Lab of an arrest or conviction resulting from a DNA match (“hit”) in the Combined DNA Index System (“CODIS”), and appropriates funds to the Department of Justice to cover costs associated with implementing this act. This act became effective September 18, 2019, and applies to CODIS hits received on or after that date.

### [House Bill 211 \(SL 2019-227\) - Various DMV Changes](#)

See summary under General Interest.

### [House Bill 283 \(SL 2019-228\) - Conner’s Law](#)

House Bill 283 increases the penalties for the following crimes: (1) assaulting a law enforcement officer, probation officer, or parole officer with a firearm from a Class E felony to a Class D felony; (2) assaulting emergency personnel and causing serious bodily injury or using a deadly weapon from a Class H felony to a Class G felony; and (3) assaulting certain emergency personnel with a firearm from a Class F to a Class E felony. The act also provides an additional death benefit for public safety employees who are murdered in the line of duty. Except as otherwise provided, this act became effective October 9, 2019.

### [House Bill 1001 \(SL 2019-229\) - Raise the Age Funding](#)

See summary under Juvenile Justice & Children’s Rights.

### [Senate Bill 579 \(SL 2019-236\) - Prison Reform Act of 2019](#)

Senate Bill 579 directs the Program Evaluation Division to study alternative organization and management structures for the Division of Adult Correction and Juvenile Justice. This act became effective November 1, 2019.

### [Senate Bill 683 \(SL 2019-239\) - Combat Absentee Ballot Fraud](#)

See summary under Constitutional Rights and Responsibilities.

[Senate Bill 199 \(SL 2019-245\) - Child Sex Abuse/Strengthen Laws](#)

See summary under Juvenile Justice & Children’s Rights.

**EDUCATION LAW**

[House Bill 75 \(SL 2019-222\) - School Safety Funds, Programs, and Reports](#)

House Bill 75 appropriates funds for school safety, establishes certain school safety grant programs, and expresses the intention of the General Assembly that additional funds provided for instructional support personnel be used to fund additional school mental health support personnel. Eight additional agents of the State Bureau of Investigation are provided to support the Behavioral Threat Assessment Program.

The act also requires: (1) an annual report on school resource officers, (2) the development of a recommended school mental health crisis response program, (3) annual reports on school mental health support personnel, and (4) the Department of Public Instruction to study and report on school psychologist and school counselor positions.

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

[Senate Bill 572 \(SL 2019-232\) - University System Risk Management Provisions](#)

Senate Bill 572 authorizes public universities to obtain liability insurance for alcohol sales. This act became effective October 18, 2019.

[Senate Bill 199 \(SL 2019-245\) - Child Sex Abuse/Strengthen Laws](#)

See summary under Juvenile Justice & Children’s Rights.

[House Bill 377 \(SL 2019-247\) - Teacher Step Act](#)

House Bill 377 provides teachers, instructional support personnel, and assistant principals salary increases based on years of experience. It also authorizes salary supplements for highly qualified North Carolina teaching graduates and appropriates funds to provide legislatively mandated salary increases to principals. This act became effective July 2, 2019.

[Senate Bill 522 \(SL 2019-248\) - Low-Perf. Schools/Adv. Teaching Roles](#)

Senate Bill 522 does the following: (1) changes the selection process for schools in the Innovative School District (“ISD”), (2) requires additional reporting by local boards of education to county commissioners on the academic performance of certain schools, (3) requires a study on changes to the ISD and statutes related to low-performing schools, (4) eliminates the cap on local boards of education that can participate in the Advanced

Teaching Roles Pilot Program, and (5) exempts participating schools from class size requirements. This act became effective October 31, 2019.

[House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

**ELDER & SPECIAL NEEDS LAW**

[House Bill 75 \(SL 2019-222\) - School Safety Funds, Programs, and Reports](#)

See summary in Education Law.

[Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary in Health Law.

**ENVIRONMENT, ENERGY, & NATURAL RESOURCES LAW**

[House Bill 211 \(SL 2019-227\) - Various DMV Changes](#)

See summary under General Interest.

[Senate Bill 433 \(SL 2019-241\) - DNCR Omnibus & Other Changes](#)

Senate Bill 433: (1) makes various changes to the statutes governing the Department of Natural and Cultural Resources (“DNCR”); (2) removes certain lands from the State Nature and Historic Preserve, as recommended by DNCR; (3) makes additions to reports of the North Carolina Policy Collaboratory regarding firefighting foam; and (4) clarifies certain appropriations for disaster recovery. Except as otherwise provided, this act became effective November 6, 2019.

[Senate Bill 559 \(SL 2019-244\) - Storm Securitization](#)

Senate Bill 559 permits utility companies to use bond financing for certain storm recovery costs. This financing mechanism does not create any indebtedness for the State or any of its political subdivisions. This act became effective November 6, 2019.

[House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

**ESTATE PLANNING & FIDUCIARY LAWS**

[Senate Bill 557 \(SL 2019-246\) - Various Finance Law Changes](#)

See summary under Tax.

## FAMILY LAW

### [Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary in Health Law.

### [Senate Bill 199 \(SL 2019-245\) - Child Sex Abuse/Strengthen Laws](#)

See summary under Juvenile Justice & Children's Rights.

## GENERAL INTEREST

### [House Bill 211 \(SL 2019-227\) - Various DMV Changes](#)

House Bill 211 eliminates the requirement for a signature space on a registration card and authorizes remote conversion of a provisional license to a regular driver's license. Additionally, it amends the definitions of "fuel cell" and "plug-in electric vehicles" to clarify they cannot have the ability to be propelled by a gasoline engine. The legislation requires the Division of Motor Vehicles to waive lapse in financial responsibility penalties under certain circumstances when a person has moved to another state, provides for reflectivity standards for registration plates, requires replacement of plates every seven years, and amends the helmet requirement exception for autocycles. Lastly, House Bill 211 provides for a study on the feasibility of digital license plates. Except as otherwise provided, this act became effective September 27, 2019.

### [Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary under Health Law.

### [House Bill 470 \(SL 2019-243\) - Administration of Justice Changes](#)

House Bill 470 makes changes requested by the Administrative Office of the Courts and the Conference of Superior Court Clerks, clarifies the scope of Judicial Standards Commission investigations, and amends the law regarding court continuances requested to fulfill certain service obligations to the State. This bill also directs the North Carolina Supreme Court to make rules regarding e-filing, and requires the Administrative Office of the Courts to report the rules to the Justice and Public Safety Oversight Committee by March 31, 2020. Except as otherwise provided, this act became effective November 6, 2019.

## GOVERNMENT AND PUBLIC SECTOR

### [Senate Bill 691 \(SL 2019-226\) - Emergency Operating Funds for Utilities](#)

Senate Bill 691 permits funds from the Wastewater Reserve and the Drinking Water Reserve to be used to provide grants to the Local Government Commission to fund operating deficits of a public water or wastewater system when (1) the system has been taken over by the Local Government Commission or (2) the charter of the local government or public authority owning the system has been revoked by a local act of the General Assembly. This act became effective October 1, 2019.

### [House Bill 387 \(SL 2019-230\) - Growing G.R.E.A.T.](#)

House Bill 387 enacts various changes to the Growing Rural Economies with Access to Technology (“GREAT”) program which provides grants for expansion of broadband access in rural areas of the State. This act has varying effective dates.

### [Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary under Health Law.

### [Senate Bill 559 \(SL 2019-244\) - Storm Securitization](#)

See summary under Environmental, Energy, and Natural Resources.

### [Senate Bill 522 \(SL 2019-248\) - Low-Perf. Schools/Adv. Teaching Roles](#)

See summary under Education Law.

### [House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

House Bill 200 provides State match funding for disaster relief from Hurricane Dorian and other named storms, as well as contingent funding for the Rural Health Care Stabilization Fund, and states the General Assembly’s intent for state entities to acquire goods and services for historically underutilized business vendors during this phase of rehabilitation.

In the event of a disaster, the legislation allows counties and municipalities to contract with prequalified contractors for the repair, rehabilitation, or construction of private residential structures funded by State or federal funds without having to follow procedures contained in G.S. 143-135.8 for prequalifying contractors.

Under Section 3.4 of the act, community colleges may use funds allocated under S.L. 2018-136 to offset any shortfall due to enrollment declines caused by Hurricane Florence, and Section 5.3 makes community college appropriation corrections.



The act requires homeowners in the 100-year floodplain receiving homeowner's housing assistance to have federal flood insurance as a precondition to the State homeowner's housing assistance for losses resulting from flooding, assuming the federal flood insurance is available, and makes modifications to the flood insurance pilot program.

Additionally, a sub-section is added to G.S. 120-29.5 requiring State agencies submitting reports to the General Assembly to publish the report on the State agency's Website.

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

#### **[Senate Bill 356 \(SL 2019-251\) - DOT Cash and Accountability](#)**

See summary under Zoning, Planning, and Land Use.

### **HEALTH LAW**

#### **[House Bill 75 \(SL 2019-222\) - School Safety Funds, Programs, and Reports](#)**

See summary under Education Law.

#### **[Senate Bill 458 \(SL 2019-225\) - PTS Day/Cardiac Task Force/Titus's Law/Data](#)**

Senate Bill 458 designates June 27 of each year as Post-traumatic Stress Injury Awareness Day in North Carolina, establishes the Joint Legislative Task Force on Sudden Cardiac Arrest in Student Athletes, addresses parental consent and the disposition of fetal remains (effective January 1, 2020), and authorizes engagement between the Department of Health and Human Services and third party toxicology laboratories to guide drug treatment and law enforcement resources. Except as otherwise provided, this act became effective September 18, 2019.

#### **[House Bill 283 \(SL 2019-228\) - Conner's Law](#)**

See summary under Criminal Justice.

#### **[Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)**

Senate Bill 537 makes changes as summarized below, and has varying effective dates.

Part I – Establish New Adult Care Home Payment Methodology. Part I requires the Department of Health and Human Services ("DHHS") to convene a workgroup that evaluates reimbursement options for adult care home services and develops a new service definition under Medicaid managed care for these services by December 1, 2020.

Part Two – Licensed Professional Counselors, Substance Abuse Professionals, and Social Workers. Part II makes conforming changes, updates the Board’s duties, changes the name of the Licensed Professional Counselors Act to “Licensed Clinical Mental Health Counselors Act.” This Part also makes various changes to the Substance Abuse Profession Practice Act (now the “North Carolina Substance Use Disorder Professional Practice Act”). Lastly, Part II changes the Social Worker Certification and Licensure Act by amending definitions, changing certificate qualifications, allowing temporary licenses, and changing the Board’s membership and duties.

Part III – Statutory Amendments Pertaining to DHHS Programs. Part III does the following: (1) clarifies the term “beneficiary” as it applies to Medicaid Abrogation; (2) describes procedures for the State temporarily taking control of, or intervening in, service delivery provided by a county department when it is not providing lawful child protective or adoption services; (3) modifies the Child Support Enforcement Program statute (adds “electronic communications or internet service providers” to the list of groups that must provide DHHS information for the purpose of locating parents to pay child support) and the Multi-Ethnic Placement Act (specifies that the Agency cannot consider a parent’s race, ethnicity, or religious preferences for adoption purposes) to make them federally compliant; (4) provides civil immunity to individuals making medical evaluations for child abuse reports; (5) reviews DHHS law enforcement; (6) defines “security recordings” and classifies them as confidential information; (7) defines “traumatic brain injury” in mental health statutes; (8) postpones deployment of NC FAST case-management for certain programs and creates a Program Evaluation Study for the case-management functionality of the child welfare component; and (9) requires criminal history checks for childcare institutions.

Part IV – Involuntary Commitment Changes. Part IV makes various changes to involuntary commitment statutes, including modifying the definition of “legally responsible person.”

Part V – Rural Health Care Stabilization. Part V adds a new Article in G.S. 131A for the Rural Health Care Stabilization Program, describing the process to provide loans to rural hospitals in crisis.

**[House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)**

See summary under Government and Public Sector.

**INSURANCE LAW**

**[Senate Bill 572 \(SL 2019-232\) - University System Risk Management Provisions](#)**

See summary under Education Law.

[House Bill 399 \(SL 2019-237\) - Extend Tax Credits/Other Finance Changes](#)

See summary under Tax.

[Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary under Health Law.

[House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

## JUVENILE JUSTICE & CHILDREN'S RIGHTS

[House Bill 29 \(SL 2019-221\) - Standing Up for Rape Victims Act of 2019](#)

See summary under Criminal Justice.

[House Bill 75 \(SL 2019-222\) - School Safety Funds, Programs, and Reports](#)

See summary under Education Law.

[House Bill 283 \(SL 2019-228\) - Conner's Law](#)

See summary under Criminal Justice.

[House Bill 1001 \(SL 2019-229\) - Raise the Age Funding](#)

House Bill 1001 provides funding for the implementation of "Raise the Age" (Section 16D.4 of S.L. 2017-57). Specifically, the bill increases the number of full-time assistant district attorneys allowed in certain prosecutorial districts, adjusts the number of district court judges allowed in certain districts, and appropriates funds to the Administrative Office of the Courts, the Office of Indigent Defense Services, and the Department of Public Safety. Except as otherwise provided, this act became effective July 1, 2019.

[Senate Bill 579 \(SL 2019-236\) - Prison Reform Act of 2019](#)

See summary under Criminal Justice.

[Senate Bill 537 \(SL 2019-240\) - Licensing & HHS Amends & Rural Health Stable](#)

See summary under Health Law.

[Senate Bill 199 \(SL 2019-245\) - Child Sex Abuse/Strengthen Laws](#)

Senate Bill 199 protects children from sexual abuse and strengthens and modernizes sexual assault laws by: (1) expanding the duty to report crimes against juveniles, (2) protecting children from online predators, (3) extending the statute of limitations for a civil action for

child sexual abuse from three years to ten years, (4) requiring related training for school personnel, (5) amending G.S. 14-401.11 to prohibit the knowing distribution of beverages containing any substance injurious to a person's health, and (6) allowing persons to revoke consent during intercourse or other sexual acts. This act has varying effective dates.

## LITIGATION

### [Senate Bill 199 \(SL 2019-245\) - Child Sex Abuse/Strengthen Laws](#)

See summary under Juvenile Justice & Children's Rights (above).

## MILITARY & VETERANS LAW

### [Senate Bill 458 \(SL 2019-225\) - PTS Day/Cardiac Task Force/Titus's Law/Data](#)

See summary under Health Law.

## REAL PROPERTY

### [House Bill 200 \(SL 2019-250\) - 2019 Storm Recovery/Var. Budget Corrections](#)

See summary under Government and Public Sector.

## SPORTS & ENTERTAINMENT LAW

### [Senate Bill 458 \(SL 2019-225\) - PTS Day/Cardiac Task Force/Titus's Law/Data](#)

See summary under Health Law.

### [Senate Bill 572 \(SL 2019-232\) - University System Risk Management Provisions](#)

See summary under Education Law.

### [House Bill 399 \(SL 2019-237\) - Extend Tax Credits/Other Finance Changes](#)

See summary under Tax.

## TAX

### [House Bill 399 \(SL 2019-237\) - Extend Tax Credits/Other Finance Changes](#)

House Bill 399 makes the following finance law changes: (1) allows an income exclusion for distributions from IRAs to charities by taxpayers age 70½ or older; (2) allows an income tax deduction for amounts received as a JDIG, JMAC or OneNC grant; (3) expands the Mill Rehabilitation Tax Credit for an eligible railroad station that meets certain conditions; (4) extends the Historic Rehabilitation Tax Credit sunset, the sales tax exemption and refund

for professional motorsports racing teams sunset, and the sales tax exemption for aviation gasoline and jet fuel sold to an interstate air business sunset, for four years; (5) extends the dry-cleaning solvent tax, and the corresponding transfer of funds derived from the tax, to the Dry-Cleaning Solvent Cleanup Fund for ten years; and (6) sets the insurance regulatory charge at 6.5% for the 2020 calendar year. The act also contains a Department of Revenue appropriation and a few technical changes. Except as otherwise provided, this act became effective November 1, 2019.

#### **Senate Bill 557 (SL 2019-246) - Various Finance Law Changes**

Senate Bill 557 makes the following finance law changes: (1) increases the standard deduction by 7.5%, from \$20,000 to \$21,500 for married couples filing jointly effective for taxable years beginning on or after January 1, 2020; (2) expands the definition of "holding company" for franchise taxes; (3) requires a multistate corporation to calculate its sales factor, for apportionment purposes, based on the percentage of income attributed to the consumption of products and services in the North Carolina marketplace; (4) obligates a "marketplace facilitator" that meets the same threshold applicable to remote retailers to calculate, collect, and remit sales tax on a third-party seller's behalf; (5) directs the Revenue Laws Study Committee to review certain tax sunset provisions; (6) makes technical and clarifying changes; and (7) requires the Department of Revenue to update its electronic tax systems to store and recognize power of attorney registrations to ensure that notices are sent to both the taxpayer and the person designated in the taxpayer's power of attorney simultaneously.

Except as otherwise provided, this act became effective November 8, 2019.

## **ZONING, PLANNING, AND LAND USE**

#### **Senate Bill 356 (SL 2019-251) - DOT Cash and Accountability**

Senate Bill 356 implements budget stabilization and financial transparency measures for the Department of Transportation. Except as otherwise provided, this act became effective November 18, 2019.