

# Legislative Bulletin

A Summary of New Laws  
Affecting North Carolina Lawyers

Prepared by the Office of Governmental Affairs  
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 from January 2023 through November 2023. These bills either were tracked by sections and committees of the NCBA or were independently tracked by the Team during the 2023 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. Finally, we note that the Government Affairs Team relied heavily on information available on the General Assembly's website, including bill summaries drafted by legislative staff, in the compilation of this document.

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# North Carolina General Assembly

## Short Session Demographics & Statistics

### House of Representatives

120 Members (71 Republicans, 49 Democrats)

#### Leadership:

- Speaker:  
Tim Moore (R)\*
- Speaker Pro Tempore:  
Rep. Sarah Stevens (R)\*
- Majority Leader:  
Rep. John Bell (R)
- Democratic Leader:  
Rep. Robert T. Reives, II (D)\*

### Senate

50 Members (30 Republicans, 20 Democrats)

#### Leadership:

- President:  
Lt. Governor Mark Robinson (R)
- President Pro Tempore:  
Sen. Phil Berger (R)\*
- Majority Leader:  
Sen. Paul Newton (R)\*
- Democratic Leader:  
Sen Dan Blue (D)\*

\* = Lawyer Legislator

- 2023 Long Session convened January 11, 2023, and temporarily adjourned October 25, 2023. The legislature is scheduled to reconvene once a month through April as provided in its [adjournment resolution](#).
- 1,658 bills and resolutions filed in the 2023-2024 session to date.
  - House of Representatives: 897 bills
  - Senate: 761 bills
- 151 laws enacted during the long session as of November 9, 2023.
- 19 vetoes in the Long Session. All of the vetoes were overridden.

# LAWYER-LEGISLATORS HOUSE OF REPRESENTATIVES



**Rep. Vernetta Alston (D)**  
*House Freshman Caucus Co-Chair*  
District 29  
Durham

APPROPRIATIONS;  
APPROPRIATIONS – HEALTH  
& HUMAN SERVICES;  
FEDERAL RELATIONS AND  
AMERICAN INDIAN AFFAIRS;  
JUDICIARY 4;  
TRANSPORTATION



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

EDUCATION K-12, CHAIR  
JUDICIARY 4, CHAIR

APPROPRIATIONS;  
APPROPRIATIONS – HEALTH  
AND HUMAN SERVICES;  
EDUCATION – COMMUNITY  
COLLEGES; EDUCATION – K-  
12; ELECTION LAW AND  
CAMPAIGN FINANCE  
REFORM; HEALTH;  
TRANSPORTATION



**Rep. Terry M. Brown, Jr. (D)**  
*House Freshman Caucus Co-Chair*  
District 92  
Mecklenburg

APPROPRIATIONS;  
APPROPRIATIONS –  
AGRICULTURE AND  
NATURAL AND  
ECONOMIC RESOURCES;  
ENERGY AND PUBLIC  
UTILITIES; JUDICIARY 3;  
REGULATORY REFORM



**Rep. Allen Buansi (D)**  
District 56  
Orange

APPROPRIATIONS;  
APPROPRIATIONS –  
HEALTH & HUMAN  
SERVICES; EDUCATION –  
UNIVERSITIES; ELECTION  
LAW AND CAMPAIGN  
FINANCE REFORM; HEALTH  
FEDERAL RELATIONS AND  
HOUSE SELECT COMMITTEE  
ON HOMEOWNERS'  
ASSOCIATIONS



**Rep. Laura Budd (D)**  
District 103  
Mecklenburg

APPROPRIATIONS;  
APPROPRIATIONS-  
INFORMATION  
TECHNOLOGY;  
EDUCATION – K-12;  
HOUSE SELECT  
COMMITTEE ON  
HOMEOWNERS'  
ASSOCIATIONS;  
JUDICIARY 2; UNC  
BOARD OF GOVERNORS  
NOMINATIONS



**Rep. Deb Butler (D)**  
District 18  
New Hanover

BANKING; COMMERCE;  
FINANCE; JUDICIARY 2;  
REGULATORY REFORM;  
UNEMPLOYMENT  
INSURANCE

# HOUSE OF REPRESENTATIVES



**Rep. Ted Davis, Jr. (R)**  
District 20  
New Hanover

JUDICIARY 1, CHAIR HOUSE  
SELECT COMMITTEE ON  
STRATEGIC TRANSPORTATION  
PLANNING AND LONG-TERM  
SOLUTIONS, VICE CHAIR  
UNC BOARD OF GOVERNORS  
NOMINATIONS, VICE CHAIR  
APPROPRIATIONS;  
APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY;  
EDUCATION – UNIVERSITIES;  
ELECTION LAW AND  
CAMPAIGN FINANCE REFORM;  
ENVIRONMENT; RULES



**Rep. Terence Everitt (D)**  
District 35  
Wake

AGRICULTURE; BANKING;  
COMMERCE; FINANCE;  
JUDICIARY 4



**Rep. Destin Hall (R)**  
District 87  
Caldwell, Watauga

REDISTRICTING, CHAIR  
RULES, CHAIR

ENERGY AND PUBLIC  
UTILITIES; FINANCE; UNC  
BOARD OF GOVERNORS  
NOMINATIONS;  
UNEMPLOYMENT  
INSURANCE



**Rep. Pricey Harrison (D)**  
District 61  
Guilford

ENVIRONMENT, VICE CHAIR

APPROPRIATIONS;  
APPROPRIATIONS –  
AGRICULTURE; ELECTION  
LAW AND CAMPAIGN  
FINANCE REFORM; ENERGY  
& PUBLIC UTILITIES;  
JUDICIARY 1; MARINE  
RESOURCES AND  
AQUACULTURE;  
REDISTRICTING



**Rep. Joe John (D)**  
District 40  
Wake

APPROPRIATIONS;  
APPROPRIATIONS –  
JUSTICE AND PUBLIC  
SAFETY; FAMILIES,  
CHILDREN, AND AGING  
POLICY; JUDICIARY 2;  
TRANSPORTATION



**Rep. Abe Jones (D)**  
District 38  
Wake

APPROPRIATIONS;  
APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY; HOUSE  
SELECT COMMITTEE ON  
STRATEGIC  
TRANSPORTATION;  
JUDICIARY 1; REGULATORY  
REFORM; UNC BOARD OF  
GOVERNORS NOMINATIONS;  
WILDLIFE RESOURCES

# HOUSE OF REPRESENTATIVES



**Rep. Ya Liu (D)**  
District 21  
Wake

HOUSE SELECT COMMITTEE  
ON HOMEOWNERS'  
ASSOCIATIONS, VICE CHAIR

APPROPRIATIONS;  
APPROPRIATIONS - HEALTH  
AND HUMAN SERVICES;  
BANKING; FAMILIES,  
CHILDREN, AND AGING  
POLICY; HEALTH



**Rep. Brandon Lofton (D)**  
District 104  
Mecklenburg

AGRICULTURE; COMMERCE;  
FINANCE; JUDICIARY 4; LOCAL  
GOVERNMENT



**Rep. Tim Longest (D)**  
District 34  
Wake

DISASTER RECOVERY AND  
HOMELAND SECURITY;  
EDUCATION –  
UNIVERSITIES; FINANCE;  
MARINE RESOURCES AND  
AQUACULTURE;  
UNEMPLOYMENT  
INSURANCE



**Rep. Grey Mills (R)**  
District 95  
Iredell

ALCOHOLIC BEVERAGE  
CONTROL, CHAIR;  
ELECTION LAW AND  
CAMPAIGN FINANCE  
REFORM, CHAIR JUDICIARY  
1, VICE CHAIR

APPROPRIATIONS;  
APPROPRIATIONS –  
HEALTH AND HUMAN  
SERVICES; EDUCATION –  
UNIVERSITIES;  
REDISTRICTING; RULES



**Rep. Tim Moore (R)**  
*House Speaker*  
District 111  
Cleveland



**Rep. Marcia Morey (D)**  
District 30  
Durham

APPROPRIATIONS;  
APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY;  
EDUCATION – UNIVERSITIES;  
FAMILIES, CHILDREN, AND  
AGING POLICY; JUDICIARY 2;  
TRANSPORTATION



# HOUSE OF REPRESENTATIVES



**Rep. Robert Reives, II (D)**  
*House Democratic  
Leader*  
District 54

AGRICULTURE;  
APPROPRIATIONS;  
APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY;  
JUDICIARY 2; REDISTRICTING;  
RULES



**Rep. Charles Smith (D)**  
District 44  
Cumberland

APPROPRIATIONS;  
APPROPRIATIONS - GENERAL  
GOVERNMENT; FAMILIES,  
CHILDREN, AND AGING  
POLICY; MILITARY AND  
VETERANS AFFAIRS; STATE  
GOVERNMENT; WILDLIFE  
RESOURCES



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

JUDICIARY 2, CHAIR;  
REDISTRICTING, VICE CHAIR

APPROPRIATIONS;  
APPROPRIATIONS – CAPITAL;  
REGULATORY REFORM



**Rep. Julie von Haefen (D)**  
District 36  
Wake

APPROPRIATIONS;  
APPROPRIATIONS –  
GENERAL GOVERNMENT;  
HOMELAND SECURITY,  
MILITARY, AND VETERANS  
AFFAIRS; LOCAL  
GOVERNMENT; STATE  
GOVERNMENT



# SENATE

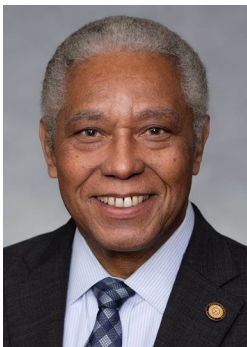


**Sen. Sydney Batch (D)**  
District 17  
Wake

APPROPRIATIONS –  
EDUCATION/HIGHER  
EDUCATION; COMMERCE  
AND INSURANCE; PENSIONS  
AND RETIREMENT AND  
AGING; SELECT COMMITTEE  
ON STORM RELATED RIVER  
DEBRIS AND DAMAGE IN  
NORTH CAROLINA



**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 –  
JUSTICE AND PUBLIC  
SAFETY;  
APPROPRIATIONS/BASE  
BUDGET; FINANCE;  
JUDICIARY; REDISTRICTING  
AND ELECTIONS; RULES;  
SELECT COMMITTEE ON  
NOMINATIONS



**Sen. Mary Wills Bode (D)**  
District 18  
Granville, Wake

APPROPRIATIONS ON  
GENERAL GOVERNMENT  
AND INFORMATION  
TECHNOLOGY; PENSIONS  
AND RETIREMENT AND  
AGING; STATE AND LOCAL  
GOVERNMENT;  
TRANSPORTATION



**Sen. Danny Earl Britt Jr.  
(R)**  
District 13  
Columbus, Robeson

APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY, CHAIR  
JUDICIARY, CHAIR  
SELECT COMMITTEE ON  
STORM RELATED RIVER  
DEBRIS AND DAMAGE,  
CHAIR TRANSPORTATION,  
CHAIR  
APPROPRIATIONS/BASE  
BUDGET; COMMERCE AND  
INSURANCE; FINANCE;  
HEALTH CARE; SELECT  
COMMITTEE ON PRISON  
SAFETY



**Sen. Jay Chaudhuri (D)**  
*Senate Democratic Whip*  
District 15  
Wake

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

## SENATE



**Sen. Warren Daniel (R)**  
District 46  
Avery, Burke, Caldwell

APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY, CHAIR  
FINANCE, CHAIR  
REDISTRICTING AND  
ELECTIONS, CHAIR

APPROPRIATIONS/BASE  
BUDGET; JUDICIARY; RULES;  
SELECT COMMITTEE ON  
PRISON SAFETY;  
TRANSPORTATION



**Sen. Amy Galey (R)**  
District 24  
Alamance, Guilford

APPROPRIATIONS – JUSTICE  
AND PUBLIC SAFETY;  
EDUCATION/HIGHER  
EDUCATION; JUDICIARY;  
STATE AND LOCAL  
GOVERNMENT



**Sen. Lisa Grafstein (D)**  
District 13  
Wake

AGRICULTURE, ENERGY,  
AND ENVIRONMENT;  
APPROPRIATIONS ON  
JUSTICE AND PUBLIC  
SAFETY; JUDICIARY; STATE  
AND LOCAL  
GOVERNMENT



**Sen. Rachel Hunt (D)**  
District 42  
Mecklenburg

AGRICULTURE, ENERGY,  
AND ENVIRONMENT;  
APPROPRIATIONS - ON  
GENERAL GOVERNMENT  
AND INFORMATION  
TECHNOLOGY; JUDICIARY;  
PENSIONS AND RETIREMENT  
AND AGING



**Sen. Michael V. Lee (R)**  
District 9  
New Hanover

APPROPRIATIONS –  
EDUCATION/HIGHER  
EDUCATION, CHAIR  
EDUCATION/HIGHER  
EDUCATION, CHAIR

APPROPRIATIONS/BASE  
BUDGET; FINANCE;  
HEALTH CARE; JUDICIARY



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

APPROPRIATIONS –  
AGRICULTURE, NATURAL,  
AND ECONOMIC RESOURCES;  
APPROPRIATIONS/BASE  
BUDGET; JUDICIARY;  
REDISTRICTING AND  
ELECTIONS

## SENATE



**Sen. Julie Mayfield (D)**  
District 49  
Buncombe

APPROPRIATIONS –  
AGRICULTURE, NATURAL,  
AND ECONOMIC  
RESOURCES; SELECT  
COMMITTEE ON STORM  
RELATED RIVER DEBRIS AND  
DAMAGE IN NC; STATE AND  
LOCAL GOVERNMENT;  
TRANSPORTATION



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

APPROPRIATIONS –  
AGRICULTURE, ENVIRONMENT,  
AND NATURAL RESOURCES;  
APPROPRIATIONS/BASE  
BUDGET; HEALTH CARE;  
JUDICIARY; SELECT COMMITTEE  
ON PRISON SAFETY



**Sen. Buck Newton (R)**  
District 4  
Greene, Wayne,  
Wilson

JUDICIARY, CHAIR  
  
AGRICULTURE, ENERGY,  
AND ENVIRONMENT;  
APPROPRIATIONS ON  
JUSTICE AND PUBLIC  
SAFETY;  
EDUCATION/HIGHER  
EDUCATION;  
TRANSPORTATION



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

FINANCE, CHAIR  
REDISTRICTING AND  
ELECTIONS, CHAIR  
  
AGRICULTURE, ENERGY,  
AND ENVIRONMENT;  
APPROPRIATIONS –  
AGRICULTURE, NATURAL,  
AND ECONOMIC  
RESOURCES; COMMERCE  
AND INSURANCE;  
JUDICIARY; RULES



**Brad Overcash (R)**  
District 43  
Gaston

APPROPRIATIONS ON  
EDUCATION/HIGHER  
EDUCATION;  
COMMERCE AND  
INSURANCE;  
EDUCATION/HIGHER  
EDUCATION; JUDICIARY;  
PENSIONS AND  
RETIREMENT AND AGING



**Sen. Benton G. Sawrey (R)**  
District 10  
Johnston

APPROPRIATIONS ON HEALTH  
AND HUMAN SERVICE;  
EDUCATION/HIGHER  
EDUCATION; HEALTH CARE;  
JUDICIARY; STATE AND LOCAL  
GOVERNMENT

## ADMINISTRATIVE LAW

[Senate Bill 20 \(SL 2023-14\): Care for Women, Children, and Families Act.](#)

See summary under Health Law.

[Senate Bill 291 \(SL 2023-40\): QRIS/Star Rating System Reform](#)

See summary under Health Law.

[House Bill 437 \(SL 2023-42\): Sports Wagering/Horse Racing Wagering.](#)

See summary under Sports & Entertainment Law.

[Senate Bill 673 \(SL 2023-55\): Wastewater Regulatory Relief Act.](#)

See summary under Environment, Energy & Natural Resources Law.

[House Bill 611 \(SL 2023-56\): Modify Training Standards Commissions Power.](#)

House Bill 611 modifies the powers of the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission and provides that certain expunged crimes committed by minors cannot prevent law enforcement certification.

This act became effective June 23, 2023, when it became law.

[Senate Bill 331 \(SL 2023-61\): Consumer Finance Act Amendments.](#)

See summary under Business Law.

[House Bill 455 \(SL 2023-67\): Expedite Water/Wastewater Franchise Transfer.](#)

House Bill 455 establishes an expedited approval process for the ownership transfer of certain water or wastewater utilities by the Utilities Commission.

This act became effective June 30, 2023, when it became law.

[House Bill 608 \(SL 2023-68\): Safety Requirements for Elevators.](#)

See summary under Real Property.

[House Bill 192 \(SL 2023-69\): 2023 Wildlife Resources Changes.-AB](#)

See summary under Environment, Energy & Natural Resources.

[House Bill 627 \(SL 2023-77\): On-Site Wastewater Rules Implementation.](#)

House Bill 627 directs the Commission for Public Health to change its on-site wastewater rules to amend and clarify the responsibilities of on-site wastewater owners, professionals, and local health departments, to provide additional options for installation, testing, operation, and maintenance, and to readopt those rules consistent with that implementation.

This act becomes effective January 1, 2024.

**[House Bill 344 \(SL 2023-80\): Mental Health Lic. Fair Practice Stds.](#)**

See summary under Health Law.

**[Senate Bill 135 \(SL 2023-81\): Registered Vet. Tech. Modification.](#)**

Senate Bill 135 clarifies that only a person licensed by or registered with the North Carolina Veterinary Medical Board as a registered veterinary technician may hold himself or herself out as a "registered veterinary technician", "veterinary technician", or use the abbreviation "R.V.T." or any other words, letters, or symbols intended to convey that the person is a registered veterinary technician.

This act became effective December 1, 2023, and applies to offenses committed on or after that date.

**[House Bill 815 \(SL 2023-82\): The Loving Homes Act.](#)**

See summary under Family Law.

**[House Bill 628 \(SL 2023-90\): Amend On-Site Wastewater/Environment Statutes.](#)**

See summary under Construction Law.

**[House Bill 782 \(SL 2023-91\): Movie Sets/Radon/Licensee Experience.](#)**

House Bill 782 does the following:

1. Exempts buildings used for temporary motion picture, television, and theater stage sets and scenery from any use and occupancy classification under the North Carolina State Building Code;
2. Directs the Department of Health and Human Services to establish an approval process for radon proficiency programs; and
3. Allows the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to accept a license in good standing for at least 10 years as experience for Class II plumbing and heating qualifications.



Except as otherwise provided, this act became effective July 10, 2023, when it became law.

**House Bill 484 (SL 2023-95): Mental Health Confidential Info. Disclosure.**

See summary under Health Law.

**House Bill 488 (SL 2023-108): Code Council Reorg. and Var. Code Amend.**

See summary under Construction Law.

**House Bill 808 (SL 2023-111): Gender Transition/Minors.**

See summary under Health Law.

**House Bill 125 (SL 2023-129): NC Health & Human Services Workforce Act.**

House Bill 125 does the following:

1. Authorizes the North Carolina Medical Board to issue a military relocation license and an internationally trained physician employee license, subject to an application fee of \$400;
2. Makes modifications to the State Hearing Aid Dealers and Fitters Board related to over-the- counter hearing aids;
3. Adds the Qualified Applied Behavior Analysis Credentialing Board as a certifying entity for behavior analysts;
4. Modifies optometry laws to change the annual renewal deadline for licenses, increases license fees, modifies Board authority and criteria related to mental or physical illnesses or substance use, amends the duty to report certain actions, allows optometrists to register with the Board of Pharmacy to dispense certain drugs, and authorizes the Board of Pharmacy to charge a fee;
5. Requires development of a plan to transition the Nurse Aide I education and training program from the Department of Health and Human Services to the Board of Nursing;
6. Enacts the Hospital Violence Protection Act, increases the penalty for violating a protective order issued upon the request of a hospital, increases the penalties for assault and assault with a firearm on certain personnel, and makes it an aggravating factor if a criminal offense is committed on the property of a hospital;
7. Modernizes and expands physician-pharmacist collaborative practice and requires insurers to pay for medical services rendered by pharmacists within the scope of their practice;
8. Allows the Office of Emergency Medical Services to permit non-EMT credentialed ambulance drivers for up to one year after the end of a public health emergency;
9. Updates the laws governing the practice of audiology to better reflect the

changes in education, experience, and practice of the profession to enhance the health and welfare of NC citizens;

10. Adjusts the Medicaid reimbursement for dental procedures performed in ambulatory centers; and

11. Updates the definition of “bar” in the sanitation statutes.

Except as otherwise provided, this act became effective October 2, 2023.

**Senate Bill 512 (SL 2023-136): Greater Accountability for Boards/Commissions.**

Senate Bill 512 amends the compositions of, and appointments to, the following boards and commissions: Economic Investment Committee, Environmental Management Commission, Commission for Public Health, Board of Transportation, Coastal Resources Commission, Wildlife Resources Commission, NC Railroad Board of Directors, Board of Directors of the UNC Health Care System, and Board of Governors of the UNC System.

Except as otherwise provided, this act became effective October 10, 2023, when it became law.

**Senate Bill 677 (SL 2023-142): Surveyors Right of Entry/Exped. Comm. Bldg.**

See summary under Real Property.

**Senate Bill 274 (SL 2023-150): Senior Care Options.**

Senate Bill 274 protects and safeguards NC residents by requiring home assistance services providers to be licensed.

This act became effective November 9, 2023, when it became law.

**ANTITRUST & COMPLEX BUSINESS DISPUTES**

**House Bill 415 (SL 2023-141): Stop Addiction Fraud Ethics Act of 2023.**

House bill 415 enacts new laws related to truth in marketing, patient brokering and kickbacks for substance use disorder treatment providers and facilities.

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



## APPELLATE PRACTICE

### [Senate Bill 327 \(SL 2023-54\)](#): GSC Assignments of Error.

Recommended by the General Statutes Commission and requested by the Appellate Rules Committee of the North Carolina Bar Association, Senate Bill 327 conforms the General Statutes to the North Carolina Rules of Appellate Procedure by updating obsolete references to "assignments of error" and "exceptions" and makes other technical changes. The North Carolina Supreme Court amended the North Carolina Rules of Appellate Procedure to abolish the use of exceptions and assignments of error in 1989 and 2009, respectively. This bill makes conforming changes by updating or deleting these references in statutes that discuss appeals before the North Carolina appellate courts.

This act became effective June 23, 2023, when it became law.

## BANKRUPTCY

### [Senate Bill 329 \(SL 2023-60\)](#): Retail Installment Sales Act Amendments.

See summary under Business Law.

### [Senate Bill 331 \(SL 2023-61\)](#): Consumer Finance Act Amendments.

See summary under Business Law.

## BUSINESS LAW

### [Senate Bill 174 \(SL 2023-12\)](#): Rev. Laws Tech., Clarifying & Admin. Chngs.

See summary under Tax.

### [House Bill 346 \(SL 2023-33\)](#): Reorganization and Economic Development Act.

See summary under Corporate Counsel.

### [Senate Bill 329 \(SL 2023-60\)](#): Retail Installment Sales Act Amendments.

Senate Bill 329 modifies the maximum finance charge rates that may be applied to consumer credit installment sale contracts and increases from \$15 to \$18 the default charge for past due installment payments.

This act became effective October 1, 2023, and applies to contracts entered into, modified, or renewed on or after that date.

### [Senate Bill 331 \(SL 2023-61\)](#): Consumer Finance Act Amendments.

Senate Bill 331 makes various changes to the Consumer Finance Act including the following:

1. Requires any person engaging in the business of lending amounts of \$15,000 or less to consumers at interest rates higher than those allowed under the usury laws of North Carolina (Chapter 24 of the General Statutes) to be licensed under the Consumer Finance Act;
  2. Requires licensees to pay an annual assessment to the Commissioner of Banks ("Commissioner"). The annual assessment is \$18 per \$100,000 of assets plus a fee of \$300 per office. The minimum annual assessment is currently \$500;
  3. Outlines the requirements of a person seeking to apply for a consumer finance license;
  4. Outlines when the Commissioner of Banks may suspend or revoke a license, as well as the process for a licensee to surrender a license;
  5. Prohibits licensees from making consumer finance loans within any place of business in which any other business is solicited or transacted, unless specifically excepted from this requirement;
  6. Outlines how interest is computed under the Consumer Finance Act;
  7. Outlines the rate of interest that may be charged on consumer finance loans;
- and
8. Outlines record-keeping and accounting requirements of licensees.

This act became effective October 1, 2023, and applies to contracts entered into, modified, or renewed on or after that date.

#### [House Bill 447 \(SL 2023-116\): Clarify Motor Vehicle Dealer Laws.](#)

House Bill 447 makes various changes to North Carolina laws related to motor vehicle dealers and manufacturers, including the following:

1. Provides additional requirements and prohibitions for manufacturers regarding availability of vehicles and parts to dealers and dealer control over sales and business decisions;
2. Prohibits manufacturers from unreasonably interfering with dealer websites and prohibits manufacturers from using their websites to negotiate directly with customers or in a way that provides unequal visibility to its dealers;
3. Provides additional requirements for manufacturers with regard to allocation of vehicles to dealers;
4. Requires the Division of Motor Vehicles to determine whether entering settlement agreements or consent orders with dealer and manufacturer licensees for violations of licensing laws would promote interests of justice and administrative efficiency; and
5. Requires publication of notice of a manufacturer's application for a dealer license in the North Carolina Register and that the hearing determining whether the

manufacturer qualifies for a license be held no earlier than 30 days from the date of publication.

This act has varying effective dates.

**Senate Bill 429 (SL 2023-119): Modify Charitable Solicitation Licensing Laws.**

Senate Bill 429 increases the amount of contributions allowed before a charitable organization must obtain a charitable solicitation license from \$25,000 to \$50,000 (i.e., organizations could receive up to \$50,000 before a license is required) and modifies licensure renewal and filing deadlines for charitable organizations.

Except as otherwise provided, this act became effective September 14, 2023, when it became law.

**Senate Bill 477 (SL 2023-130): Amend Bus. Corp. Act/Bus. Opp. Disclosures.**

Senate Bill 477 amends the Business Corporation Act to:

1. Updates requirements for sending notices and other communications to shareholders electronically;
2. Provides that, for a newly incorporated non-public corporation, unless otherwise provided in the articles of incorporation, action can be taken without meeting by written consent of shareholders having the number of votes necessary to take the action at a meeting at which all shareholders entitled to vote were present and voted;
3. Dispenses with the requirement that written consents to action to be taken without meeting bear the date of signature of the shareholder;
4. Provides that a written consent to action to be taken without meeting expires if the corporation has not, within 60 days after the first date on which a written consent to the action is received by the corporation, received unrevoked written consents sufficient to take the action without meeting;
5. Permits articles of incorporation to be amended without a shareholder vote to delete a class or series of shares created by the board and having no outstanding shares;
6. Permits a corporation to restrict, in whole or in part, the right of the holders of outstanding shares of an existing class or series of a class to vote as a separate voting group on a proposed amendment to the articles of incorporation that would create a new class of shares that have rights with respect to distributions or to dissolution substantially equal or superior to the existing class; and
7. Modifies statutory provisions governing the right of shareholders in a corporation to inspect the records of a subsidiary of that corporation.

Senate Bill 477 also amends the Business Opportunity Act to permit franchisors to meet their disclosure and filing obligations using a document that complies with Federal Trade Commission disclosure requirements. Finally, the bill standardizes the evidence required to prove a debt in actions brought by collection agencies.

This act has varying effective dates.

[Senate Bill 409 \(SL 2023-151\)](#): Various Changes to Criminal and Civil Laws.

See summary under Criminal Justice.

## CONSTITUTIONAL RIGHTS & RESPONSIBILITIES

[Senate Bill 41 \(SL 2023-8\)](#): Guarantee 2nd Amend Freedom and Protections.

Senate Bill 41 does the following:

- Authorizes an individual who has a valid concealed handgun permit, or who is exempt from obtaining that permit, to carry a handgun in a place of religious worship that is also educational property if:
  1. The property is not owned by a local board of education or county commission;
  2. The property is not a public or private institution of higher education;
  3. The property is not posted with a notice prohibiting carrying a concealed handgun on the premises; and
  4. The handgun is only possessed and carried on the property outside of school operating hours.
- Authorizes concealed carry for certain law enforcement facility employees;
- Repeals the requirement to obtain a pistol purchase permit from the sheriff prior to the purchase or transfer of a pistol; and
- Creates a statewide firearm safe storage awareness initiative to educate the public about safe firearm storage, to facilitate the distribution of gun locks, and to provide local communities with a toolkit to launch local firearm safe storage initiatives.

Except as otherwise provided, this act became effective March 29, 2023, when it became law.

[Senate Bill 364 \(SL 2023-62\)](#): Nondiscrim & Dignity in State Work.

See summary under Government & Public Sector.

[House Bill 790 \(SL 2023-74\)](#): Innocence Inquiry Commission Provisions.

See summary under Criminal Justice.

[Senate Bill 195 \(SL 2023-102\): UNC Omnibus.](#)

See summary under Education Law.

[Senate Bill 49 \(SL 2023-106\): Parents' Bill of Rights.](#)

See summary under Education Law.

[House Bill 574 \(SL 2023-109\): Fairness in Women's Sports Act.](#)

See summary under Education Law.

[House Bill 808 \(SL 2023-111\): Gender Transition/Minors.](#)

See summary under Health Law.

## CONSTRUCTION LAW

[House Bill 364 \(SL 2023-66\): Self-Liquidating Projects/Property Transfers.](#)

House Bill 364 authorizes constituent institutions of The University of North Carolina System (the UNC System) to finance and acquire or construct the listed capital improvement projects reviewed and approved by the Board of Governors of the UNC System on February 23, 2023. 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. It also authorizes the transfer of personal property between constituent institutions of the UNC System with the approval of the President of the UNC System.

This act became effective June 30, 2023, when it became law.

[House Bill 608 \(SL 2023-68\): Safety Requirements for Elevators.](#)

See summary under Real Property.

[House Bill 628 \(SL 2023-90\): Amend On-Site Wastewater/Environment Statutes.](#)

House Bill 628 makes various changes to the on-site wastewater statutes and the On-Site Wastewater Contractors and Inspectors Certification Board; directs the Building Code Council to create an on-site wastewater existing systems affidavit; allows a certified wastewater contractor to perform certain electrical work; eliminates an optional building inspection for private water wells and allows the well contractor to cover exposed pipes once installation is complete; prohibits forced sewer connections in certain situations; and establishes a registered environmental health associate certification.

Except as otherwise provided, this act became effective July 10, 2023, when it became law.

[House Bill 782 \(SL 2023-91\)](#): Movie Sets/Radon/Licensee Experience.

See summary under Administrative Law.

[House Bill 488 \(SL 2023-108\)](#): Code Council Reorg. and Var. Code Amend.

House Bill 488 reorganizes the Building Code Council to create a new Residential Code Council and amends various North Carolina State Building Code provisions, land development regulations, and General Contractor licensing laws. The separate Residential Code Council will be housed within the Department of Insurance and consist of 13 members who are appointed by the General Assembly and the Governor. It will function similarly to the Building Code Council but is only responsible for the North Carolina Residential Code.

Except as otherwise provided, this act became effective August 16, when it became law.

[Senate Bill 677 \(SL 2023-142\)](#): Surveyors Right of Entry/Exped. Comm. Bldg.

See summary under Real Property.

## CORPORATE COUNSEL

[Senate Bill 174 \(SL 2023-12\)](#): Rev. Laws Tech., Clarifying & Admin. Chngs.

See summary under Tax.

[House Bill 346 \(SL 2023-33\)](#): Reorganization and Economic Development Act.

House Bill 346 allows hospital service corporations to reorganize so that they are controlled by a non-profit holding corporation. The non-profit holding company is not subject to the provisions of Article 65 (Hospital Service Corporations) and Article 66 (Hospital Service Corporation Readable Insurance Certificates Act) of Chapter 58 (Insurance), but most of those provisions continue to apply to the underlying hospital service corporation.

This act became effective June 10, 2023, when it became law.

[Senate Bill 477 \(SL 2023-130\)](#): Amend Bus. Corp. Act/Bus. Opp. Disclosures.

See summary under Business Law.

[Senate Bill 409 \(SL 2023-151\)](#): Various Changes to Criminal and Civil Laws.

See summary under Criminal Justice.

## CRIMINAL JUSTICE

### [House Bill 40 \(SL 2023-6\): Prevent Rioting and Civil Disorder.](#)

House Bill 40 makes the following changes:

- Clarifies that active conduct is required for criminal prosecution of riot offenses;
- Increases some penalties for current offenses and creates new offenses related to rioting;
- Authorizes a specific civil action for injury to person or property stemming from rioting, looting or trespass during an emergency;
- Includes members of the National Guard in a prohibition on certain assaults on emergency personnel;
- Increases the penalty for certain assaults on emergency personnel; and
- Creates requirements for bail and pretrial release for defendants charged with rioting and looting or trespass during an emergency.

This act became effective December 1, 2023, and applies to offenses committed on or after that date.

### [Senate Bill 157 \(SL 2023-13\): Limited Provisional License Modification.](#)

See summary under Insurance Law.

### [Senate Bill 20 \(SL 2023-14\): Care for Women, Children, and Families Act.](#)

See summary under Health Law.

### [House Bill 116 \(SL 2023-34\): Modify Laws Affecting District Attorneys.](#)

House Bill 116 allows District Attorneys (DAs) to recuse themselves from a case for "good cause". The bill also authorizes each DA to appoint at least one special investigator and clarifies that written materials related to criminal investigations and prosecutions are not subject to the Public Records Act.

Except as otherwise provided, this act became effective June 10, 2023, when it became law.

### [House Bill 87 \(SL 2023-45\): Probation Modifications/Sheriff Authority.](#)

House Bill 87 does the following:



1. Allows a district attorney to file a probation modification petition;
2. Allows the court to delegate the ability to shorten a period of probation to a probation officer; and
3. Allows all sheriffs' offices in the state to contract for food and food services supplies without being subject to certain public contract laws.

Except as otherwise provided, this act became effective June 16, 2023, when it became law.

#### **Senate Bill 58 (SL 2023-47): Protect Critical Infrastructure.**

Senate Bill 58 does the following:

1. Updates and consolidates existing statutes that relate to damage to utility property (electric, gas, and telecommunications);
2. Increases penalties for acts of damage to energy facilities;
3. Increases the penalty for trespass to energy facilities and adds a specific prohibition on trespass to wastewater treatment facilities; and
4. Increases the penalty for willful injury to wires and other fixtures of telephone, broadband, broadcast, or cable telecommunications.

This act became effective December 1, 2023, and applies to offenses committed on or after that date. Prosecutions for offenses committed before the effective date of the bill would not be abated or affected by the bill, and the statutes that would be applicable but for this bill remain applicable to those prosecutions.

#### **Senate Bill 626 (SL 2023-71): Modify Human Trafficking and Rioting Laws.**

Senate Bill 626 does the following:

1. Allows for the issuance of a permanent civil no-contact order under Chapter 50D for victims of human trafficking offenses;
2. Allows victims of human trafficking offenses to collect under the Crime Victims Compensation Act even if the victim committed certain wrongful conduct under duress;
3. Provides that it is a violation of the laws prohibiting human trafficking and sexual servitude if a person patronizes or solicits another person who would be a victim under those laws; and
4. Removes urging provisions from G.S. 14-288.2 so that urging another person to engage in a riot would not be a crime under the statute.

Except as otherwise provided, this act became effective June 30, 2023, when it became law.

### [House Bill 790 \(SL 2023-74\)](#): Innocence Inquiry Commission Provisions.

House Bill 790 modifies laws related to the North Carolina Innocence Inquiry Commission (Commission) as follows:

1. Allows the Commission to continue receiving private gifts and donations and creates a related reporting requirement to the General Assembly about these gifts and donations;
2. Allows the Commission to continue reviews of any request for review of a case for factual innocence unless the person convicted is deceased, with priority given to those where the convicted person is incarcerated solely for the crime for which the request is made;
3. Requires a prehearing conference to be held at least 30 days prior to an evidentiary hearing or at any time if the Commission develops evidence of factual innocence;
4. Establishes the procedure for the prehearing conference including the Commission providing its evidence and testimony to the claimant and the claimant's attorney, if any;
5. Allows the district attorney to provide the Commission a written statement at least 10 days prior to a hearing;
6. Requires the Administrative Office of the Courts to appoint a special prosecutor for the Commission hearing when there is evidence of prosecutorial misconduct; and
7. Makes technical and conforming changes.

This act became effective July 7, 2023, when it became law, and applies to proceedings held on or after that date.

### [House Bill 813 \(SL 2023-75\)](#): The Pretrial Integrity Act.

House Bill 813 does the following:

1. Authorizes hearings for continued secure custody of 13-, 14-, and 15- year-olds alleged to have committed a Class A felony to be held every 30 days;
2. Provides judicial discretion in determining whether defendants charged with certain felonies shall be granted pretrial release and requires a judge to set any conditions of release; and
3. Requires a judge to determine pretrial release conditions for any defendant charged with a new offense, other than non-DWI motor vehicle offenses contained in Chapter 20, while under conditions of pretrial release for a prior offense but authorizes a magistrate to set conditions if no judge has acted within 48 hours of arrest.

Sections 1 and 2 of the act became effective October 1, 2023, and apply to offenses committed on or after that date. The remainder of the act became effective July 7, 2023, when it became law.

**House Bill 34 (SL 2023-76): Protect Those who Serve and Protect Act.**

House Bill 34 does the following:

1. Creates an offense for discharging or attempting to discharge a firearm at or into an unoccupied emergency vehicle;
2. Increases the punishment for pointing a laser device at a law enforcement officer;
3. Creates an offense for pointing a laser device at a law enforcement agency animal or other emergency personnel; and
4. Modifies certain laws to increase the criminal punishments for assaults committed against law enforcement officers and other government personnel.

This act became effective December 1, 2023, and applies to offenses committed on or after that date.

**Senate Bill 45 (SL 2023-83): CADIC Supervision Requirements.**

See summary under Health Law.

**Senate Bill 246 (SL 2023-85): Property Owners Protection Act.**

Senate Bill 246 modifies the law of second-degree trespass to include entering or remaining on the curtilage of a dwelling of another between the hours of midnight and 6:00 A.M.

This act became effective December 1, 2023.

**Senate Bill 171 (SL 2023-86): Department of Public Safety Agency Bill.-AB**

Senate Bill 171 does the following:

1. Modifies the State Capitol Police's authority and territorial jurisdiction to arrest;
2. Adds the definition of wood residual to Chapter 20 of the General Statutes;
3. Modifies the time frame under which law enforcement is required to enter missing or unidentified person information into NamUs from 30 days to 90 days;

4. Modifies the North Carolina Silver Alert System by renaming it, clarifying which missing persons fall under it, limiting required alerts to situations where no more than 72 hours have passed since the person or child went missing, and adding requirements for law enforcement action related to alerts;
5. Grants the Adjutant General and National Guard Staff Judge Advocate access to certain criminal investigation records;
6. Provides that no provision concerning special trial counsel in the Uniform Code of Military Justice and Manual for Courts-Martial, United States, shall apply to courts-martial convened under Article 3 (National Guard) of Chapter 127A of the General Statutes;
7. Expands the definition of reportable conviction under Article 27A (Sex Offender and Public Protection Regulation Programs) of Chapter 14 of the General Statutes to include convictions in State court-martial proceedings for offenses substantially similar to an offense against a minor or a sexually violent offense; and
8. Establishes the Samarcand Training Academy under the Department of Public Safety.

Except as otherwise provided, this act became effective July 10, 2023, when it became law.

**[Senate Bill 91 \(SL 2023-97\): Amend Rule 4/Acceptance of Service.](#)**

See summary under Litigation.

**[House Bill 186 \(SL 2023-114\): Juv Just Mods/DOI Expenses/Technical Changes.](#)**

See summary under Juvenile Justice & Children's Rights.

**[Senate Bill 492 \(SL 2023-121\): Adult Correction/Law Enf. Changes.](#)**

Senate Bill 492 makes various changes to the General Statutes related to the Department of Adult Correction (DAC), as recommended by the DAC, to include the following:

1. Expands available methods for drug and alcohol screening of probations;
2. Prohibits firearm ammunition in regular conditions of probation, post- release supervision and parole;
3. Authorizes certain DAC employees to carry concealed weapons;
4. Expands the scope of various peer support group counselor provisions;
5. Expands probation officers' delegated authority to DWI cases; and
6. Requires arresting law enforcement agencies to fingerprint individuals charged with a misdemeanor crime of domestic violence and forward those fingerprints to the SBI.

Except as otherwise provided, this act became effective September 22, 2023, when it became law.

**Senate Bill 189 (SL 2023-123): Fentanyl Drug Offenses and Related Changes.**

Senate Bill 189 does the following:

1. Increases the fine amounts related to trafficking heroin, fentanyl, or carfentanil;
2. Revises the laws related to Second Degree Murder and Death by Distribution to consolidate the laws and provide for new offenses related to deaths caused by the distribution of certain controlled substances;
3. Provides for limited criminal immunity for a person who possesses less than 1 gram of any controlled substance if the person seeks medical assistance for a victim of a drug-related overdose;
4. Establishes the Task Force on Enforcement of Fentanyl and Heroin Drug Violations; and
5. Allows district attorneys and law enforcement agencies to request an autopsy of a victim of a drug-related death if that death is suspected to be in violation of the Death by Distribution law.

Except as otherwise provided, this act became effective December 1, 2023, and applies to offenses committed on or after that date.

**Senate Bill 579 (SL 2023-127): Prevent Harm to Children.**

Senate Bill 579 increases the felony classification of intentionally disseminating obscenity when it is knowingly done in the presence of a person under 18 years of age; creates a new offense for engaging in adult live entertainment in the presence of a person under 18; and creates a new offense of sexual contact with a minor.

The act became effective December 1, 2023, and applies to offenses committed on or after that date.

**House Bill 142 (SL 2023-128): Protect our Students Act.-AB**

House Bill 142 does the following:

1. Modifies penalties and definitions for certain sex offenses against a student;
2. Increases penalties for failing to report misconduct toward children;
3. Requires the Center for Safer Schools to produce and distribute an informational

video related to child abuse and neglect and requires public school units to show the video to students in grades six through 12; and

4. Defines conduct directly related to the office or employment as it pertains to the forfeiture of retirement benefits.

Except as otherwise provided, this act became effective October 2, 2023, when it became law.

[House Bill 125 \(SL 2023-129\)](#): NC Health & Human Services Workforce Act.

See summary under Administrative Law.

[House Bill 415 \(SL 2023-141\)](#): Stop Addiction Fraud Ethics Act of 2023.

See summary under Antitrust & Complex Business Disputes Law.

[Senate Bill 409 \(SL 2023-151\)](#): Various Changes to Criminal and Civil Laws.

Senate Bill 409 does the following:

1. Amends the offense of breaking or entering into or breaking out of railroad cars, motor vehicles, trailers, aircraft, boats, or other watercraft;
2. Provides that multiple acts of certain financial crime offenses may be aggregated in certain circumstances when determining the level of punishment imposed;
3. Provides that proving it was a regular practice of a business activity to make a memorandum, report, or data compilation may be made by an unsworn declaration under penalty of perjury;
4. Creates a pilot program to authorize automatic license plate readers in State rights-of-way;
5. Makes technical changes to the obscene literature and exhibitions statute; and
6. Establishes an independent Office of the State Fire Marshal in the Department of Insurance, prescribes the powers and duties of that office, and amends certain firefighter programs.

Except as otherwise provided, this act became effective November 9, when it became law.

## EDUCATION LAW

[Senate Bill 41 \(SL 2023-8\)](#): Guarantee 2nd Amend Freedom and Protections.

See summary under Constitutional Rights & Responsibilities.

[House Bill 11 \(SL 2023-10\)](#): Schools for the Deaf and Blind. House Bill 11 does the

following:

- Creates a board of trustees for each of the schools for the deaf and blind and provides for governance of those schools by the new boards;
- Establishes an admissions process for the schools for the deaf and blind; and
- Creates a transition process for the schools to governance by the new boards of trustees beginning in 2024-2025.

Sections 1 through 3 of the act become effective July 1, 2024. The remainder of the bill became effective April 3, 2023, when it became law.

**[House Bill 166 \(SL 2023-43\): American Indians Graduating with Honors Act.](#)**

House Bill 166 requires public schools to allow enrolled members of a State or federally recognized Indian Tribe, and those eligible to be members, to wear objects of cultural significance at school graduation ceremonies.

This act became effective June 14, 2023, when it became law.

**[Senate Bill 364 \(SL 2023-62\): Nondiscrim & Dignity in State Work.](#)**

See summary under Government & Public Sector.

**[House Bill 364 \(SL 2023-66\): Self-Liquidating Projects/Property Transfers.](#)**

See summary under Construction Law.

**[House Bill 605 \(SL 2023-78\): School Threat Assessment Teams.](#)**

House Bill 605 does the following:

1. Requires threat assessment teams in public school units;
2. Requires all public school units to participate in school safety exercises and programs;
3. Encourages private schools to participate in school safety exercises and programs; and
4. Requires local boards of education to establish peer-to-peer support programs.

Except as otherwise provided, this act became effective July 7, 2023, when it became law, and applies beginning with the 2024-2025 school year.

**[Senate Bill 195 \(SL 2023-102\): UNC Omnibus.](#)**



Senate Bill 195 does the following:

1. Includes the North Carolina School of Science and Mathematics (NCSSM) in the Distinguished Professors Endowment Fund;
2. Creates staggered terms for members of the North Carolina Teaching Fellows Commission;
3. Makes changes to tuition grants for NCSSM and the UNC School of the Arts.
4. Requires constituent institutions to remain neutral on political controversies of the day;
5. Exempts certain employees of UNC from the State Human Resources Act;
6. Allows certain employees of UNC who earned career status by September 1, 2023, to have the option of either keeping career status or waiving it;
7. Allows certain probationary employees of UNC who were hired before September 1, 2023, to have the option of continuing employment to earn career status or continuing employment as an exempt employee; and
8. Exempts from the State Human Resources Act certain employees of North Carolina A&T State University designated as county operations support staff.

Except as otherwise provided, this act became effective July 14, 2023, when it became law.

**Senate Bill 49 (SL 2023-106): Parents' Bill of Rights.**

Senate Bill 49 does the following:

1. Establishes a Parents' Bill of Rights enumerating certain rights of parents related to the education, health, privacy, and safety of their child;
2. Requires public school units to provide parents with information related to parental involvement in schools, legal rights for their child's education, and guides for student achievement;
3. Requires public school units to provide notifications on student physical and mental health, require age-appropriate instruction on certain topics in kindergarten through 4th grade, and create remedies for parents to address concerns over implementation of these requirements; and
4. Requires health care practitioners to obtain written consent from the parent of a minor child before providing treatment.

Except as otherwise provided, this act became effective August 15, 2023.

### House Bill 219 (SL 2023-107): Charter School Omnibus.

House Bill 219 make various changes to laws affecting charter schools, including the following:

1. Preventing LEA impacts from consideration in charter approvals and renewals and requiring consideration of student subgroup performance in some renewals;
2. Removing restrictions of growth for charters that are not low- performing and allowing SBE consideration of growth greater than 20% for charter schools that are low-performing;
3. Allowing charter schools to admit out-of-state students and foreign exchange students;
4. Allowing pre-lottery admissions to charters for (i) certain preschools with agreements with the charter and (ii) children of active-duty military;
5. Prohibiting local boards of education from discriminating against charter school students;
6. Allowing counties to appropriate property taxes to fund charter school capital needs; and
7. Establishing a pilot program to allow Central Park Schools for Children in Durham to expand the weighted lottery to include factors to assist educationally or economically disadvantaged students, including walk zones.

This act became effective August 16, 2023, when it became law, and applies beginning with the 2023-2024 school year.

### House Bill 574 (SL 2023-109): Fairness in Women's Sports Act.

House Bill 574 does the following:

1. Prohibits male students from playing on middle school, high school, or collegiate athletics teams designated for females, women, or girls;
2. Requires a student's sex to be recognized solely based on reproductive biology and genetics at birth for purposes of athletic participation;
3. Creates a civil cause of action for students who are harmed as a result of a violation of the bill, or who are retaliated against for reporting violations; and
4. Creates a civil cause of action for public school units that suffer harm as a result of following the requirements of the bill.

This act was effective August 16, 2023, when it became law, and applies beginning with the 2023-2024 school year.

### [House Bill 618 \(SL 2023-110\)](#): Charter School Review Board.

House Bill 618 converts the Charter Schools Advisory Board into the Charter Schools Review Board and shifts authority to approve charters from the State Board of Education to the Review Board, with a right of appeal to the State Board of Education.

This act became effective August 16, 2023, when it became law.

### [House Bill 432 \(SL 2023-125\)](#): Principal Licensure Changes.

House Bill 432 updates principal licensure requirements and requires the Professional Educator Preparation and Standards Commission to develop a portfolio-based assessment for prospective principals.

The act became effective September 28, 2023, when it became law. Part I dealing with principal licensure applies beginning July 1, 2024.

### [House Bill 142 \(SL 2023-128\)](#): Protect our Students Act.-AB

See summary under Criminal Justice.

### [House Bill 8 \(SL 2023-132\)](#): Various Statutory Changes.

House Bill 8 does the following:

1. Requires the State Board of Education (SBE) to establish a computer science graduation requirement;
2. Requires public school units to offer computer science instruction to students in middle and high school;
3. Requires constituent institutions of The University of North Carolina and community colleges to be accredited by a regional accrediting agency and prohibits those institutions from using the same accrediting agency for consecutive accreditation cycles;
4. Creates a cause of action that each institution may use when someone makes a false statement about the institution to its accrediting agency that causes the institution's accreditation to be reviewed;
5. Requires the Board of Governors of The University of North Carolina to establish a commission to study alternatives to the current accreditation process;
6. Requires all faculty hired by or appointed to the School of Civic Life and Leadership at the University of North Carolina at Chapel Hill to be approved by the dean of the School;
7. Creates civil penalties for publishers and distributors of material harmful

to minors for failure to perform age verification; and  
8. Make additional conforming changes.

Except as otherwise provided, this act became effective October 2, 2023, when it became law.

[Senate Bill 452 \(SL 2023-133\)](#): DOI & Ins. Law Amd./Revise HS Athletics.

See summary under Insurance Law.

## ELDER & SPECIAL NEEDS LAW

[House Bill 190 \(SL 2023-65\)](#): Dept. of Health and Human Services Revisions.- AB

See summary under Health Law.

[Senate Bill 171 \(SL 2023-86\)](#): Department of Public Safety Agency Bill.-AB

See summary under Criminal Justice.

[House Bill 323 \(SL 2023-115\)](#): Retain Adult Devel. Voc. Rehab. Programs.

See summary under Health Law.

[House Bill 361 \(SL 2023-135\)](#): Require Report/Protection & Advocacy Agency.

House Bill 361 requires the designated Protection and Advocacy Agency for the State to submit reports on actions the Agency has taken to advocate for persons with disabilities.

This act became effective October 2, 2023, on the date that House Bill 125, SL 2023-129, became law.

## ENVIRONMENT, ENERGY & NATURAL RESOURCES LAW

[House Bill 544 \(SL 2023-26\)](#): Limited Shark Fishing Tournament Moratorium.

House Bill 544 makes it unlawful for a person, between May 1 and October 31 of each year, to take sharks as part of a recreational fishing tournament where the person landing the shark is on the shore or on a structure attached to the shore of Carolina Beach, Caswell Beach, Holden Beach, Kure Beach, Oak Island, Ocean Isle Beach, Sunset Beach, or Bald Head Island.

This act became effective July 1, 2023, and applies to offenses committed on or after that date.

**Senate Bill 100 (SL 2023-36): Authorize Haw River State Trail.**

Senate Bill 100 authorizes the Department of Natural and Cultural Resources to add the Haw River Trail to the State Parks System as a State trail.

This act became effective June 10, 2023, when it became law.

**Senate Bill 22 (SL 2023-51): Rename Outdoor Heritage Advisory Council.**

Senate Bill 22 does the following:

1. Renames the Outdoor Heritage Advisory Council as the North Carolina Youth Outdoor Engagement Commission;
2. Renames the North Carolina Outdoor Heritage Trust Fund for Youth Outdoor Heritage Promotion as the North Carolina Youth Outdoor Engagement Fund; and
3. Authorizes the North Carolina Youth Outdoor Engagement Commission to use grants and programming to promote youth outdoor recreational activities.

This act became effective June 23, 2023, when it became law.

**Senate Bill 673 (SL 2023-55): Wastewater Regulatory Relief Act.**

Senate Bill 673 allows permittees for new or expanded wastewater treatment systems to use alternative wastewater flow calculations and expand beyond the system's hydraulic capacity if the system meets certain requirements. It also makes changes to the system development fee.

This act became effective June 23, 2023, when it became law.

**House Bill 130 (SL 2023-58): Energy Choice/Solar Decommissioning Rqmts.**

See summary under Government & Public Sector.

**House Bill 455 (SL 2023-67): Expedite Water/Wastewater Franchise Transfer.**

See summary under Administrative Law.

**House Bill 192 (SL 2023-69): 2023 Wildlife Resources Changes.-AB**

House Bill 192 makes changes to the following areas of the statutes governing the Wildlife Resources Commission (WRC): WRC capital exemption, WRC retention of certain dredging funds, dam removal funding extension and eligibility, state construction permitting exemption, chronic deer wasting disease, personal flotation devices, fallen

officers memorial, and online electronic licensing.

Except as otherwise provided, this act became effective June 30, 2023, when it became law.

**[House Bill 168 \(SL 2023-70\): DNCR Agency Bill.-AB](#)**

House Bill 168 makes various changes to the statutes governing the Department of Natural and Cultural Resources (Department), as recommended by the Department. These changes include clarifying the surplus process for museums and aquariums, placing a time limitation on the confidentiality of certain public records, adding an Umstead Act exemption for lodging facilities at State parks, and renaming the Clean Water Trust Fund to North Carolina Land and Water Fund.

Except as otherwise provided, this act became effective June 30, 2023, when it became law.

**[House Bill 627 \(SL 2023-77\): On-Site Wastewater Rules Implementation.](#)**

See summary under Administrative Law.

**[Senate Bill 582 \(SL 2023-63\): North Carolina Farm Act of 2023.](#)**

See summary under General Interest.

**[House Bill 628 \(SL 2023-90\): Amend On-Site Wastewater/Environment Statutes.](#)**

See summary under Construction Law.

**[Senate Bill 531 \(SL 2023-131\): Dam Safety Law Clarification.](#)**

Senate Bill 531 allows projects for the repair or alteration of high-hazard, pre-1968 dams to be approved by the Department of Environmental Quality on the basis of phased compliance with the requirements of the Dam Safety Law of 1967 and rules adopted to implement that law.

This act became effective October 2, 2023, when it became law, and applies to applications for repair or alteration received by DEQ on or after that date.

**[House Bill 600 \(SL 2023-137\): Regulatory Reform Act of 2023.](#)**

House Bill 600 amends State laws related to State and local government, agriculture, energy, environment, natural resources, and other various regulations, including the laws governing stormwater, watersheds, fish harvest reporting, dredging, narrative water quality standards, drinking water, flotation devices, nutrient offsets, septage management, lithium-ion battery disposal, solar panel disposal, Brownfields, and riparian buffers. The bill also

contains many changes to various State and local laws as well as miscellaneous changes to a list of State statutes.

Except as otherwise provided, this bill became effective October 10, 2023, when it became law.

**Senate Bill 678 (SL 2023-138): Clean Energy/Other Changes.**

Senate Bill 678 does the following:

1. Changes references across the statutes from "renewable energy" to "clean energy";
2. Modifies the definition of "renewable energy resource" (or "clean energy resource") to provide that the term includes nuclear resources and fusion energy;
3. Adds definitions for "fusion" and "fusion energy";
4. Modifies a provision governing issuance of certificates of public convenience and necessity to require that all electric generating facilities be subject to a Commission finding that energy efficiency measures, demand side management, renewable energy resource generation, combined heat and power generation, or any combination thereof, would not establish or maintain a more cost effective and reliable generation system and that the construction and operation of the facility is in the public interest;
5. Extends closure deadlines for certain coal combustion residuals surface impoundments;
6. Increases application fees for dam construction, repair, alteration, or removal under the Dam Safety Act;
7. Adds the contents of House Bill 535 (Solar Capacity Limit Increase) which includes the following provisions:
  - Increases the maximum authorized total installed capacity of all leased solar facilities on an offering utility's system from 1% to 10% of the previous five-year average of the North Carolina retail contribution to the offering utility's coincident retail peak demand;
  - Clarifies that leased solar energy facilities may not exceed 1,000kW or 100% of contract demand for nonresidential customers, or 20kW or 100% of estimated electrical demand for residential customers;
  - Requires approval by the Local Government Commission for local governments to enter into agreements to cede or transfer control over a public enterprise to a non-governmental entity; and
  - Prohibits local governments from entering non-disclosure agreements in order to restrict access to public records subject to disclosure under the Public Records Act; and



8. Establishes employee classification and compensation exemptions for the Utilities Commission and public staff.

Except as otherwise provided, this act became effective October 10, 2023, when it became law.

## ESTATE PLANNING & FIDUCIARY LAW

### [Senate Bill 218 \(SL 2023-120\)](#): Estates and Trusts Changes.

Part I of Senate Bill 218 makes the following changes as related to the yearly allowance for a spouse and child of a decedent:

1. The procedure for requesting a year's allowance;
2. The use of magistrates is eliminated;
3. Funding the surviving spouse's yearly allowance gets priority over pro- rata funding shared with minor children;
4. The children's yearly allowance is limited to children under 21, the amount is increased to ten thousand dollars (\$10,000), and the priority for who can receive the allowance on behalf of the child(ren) is reordered; and
5. Assets recovered by the personal representative for payment of claims of the decedent's creditors or debts of the estate must be used to pay the yearly allowance of a spouse and child prior to paying other claims.

Part II of SB 218 amends G.S. 31-5.4 to change the treatment of a former spouse in estates by treating the former spouse as having predeceased the testator when the testator did not remove the former spouse from their will unless a contrary intent is expressly included in the will or through subsequent actions such as remarriage or execution of additional documents. G.S. 36C-6-606 is also amended to make technical and conforming changes to align with the changes to G.S. 31- 5.4.

Sections 1.2 and 1.3 became effective December 1, 2023, and apply to decedents dying on or after that date. Sections 2.1 and 2.2 became effective December 1, 2023, and apply to wills probated on or after that date. Except as otherwise provided, this act became effective December 1, 2023.

### [Senate Bill 615 \(SL 2023-124\)](#): Adoption Law/Notary Changes/Guardianship Rts.

Senate Bill 615 does the following related to NC's adoption laws:

1. Allows for a former stepparent to adopt an adult adoptee;

2. Modifies the law related to the redaction of certain information from a preplacement assessment;
3. Expands the acknowledgment options related to agency relinquishments for adoption;
4. Establishes a procedure for addressing conflicts of interest when a report alleging abuse, neglect, or dependency is made; and
5. Clarifies that the appointment of a guardian ad litem for a minor parent under 7B-602 would not impact the minor parent's right to a guardian ad litem if the minor parent is also the subject of a separate juvenile petition and that a parent is not entitled to a guardian ad litem under Rule 17 of the North Carolina Rules of Civil Procedure solely because they are an unemancipated minor.

The bill also makes the maintenance of a journal of all notarial acts performed by a notary public permissive not mandatory.

Finally, the bill amends the laws governing guardianships and powers of attorney to do the following:

1. Require a general guardian or guardian of the estate to elect a fiscal year-end date upon the filing of the initial annual account, or, if made in a subsequent year, with the clerk's permission, and to file each annual account within 30 days after the elected fiscal year-end unless the time for filing has been extended by the clerk;
2. Provide that a petition for judicial relief challenging the authority of an agent holding a power of attorney or the manner in which that authority has been exercised can be dismissed only upon motion filed by the principal acting individually, and not through the agent;
3. Require respondents in guardianship proceedings to be informed of their rights before and after an adjudication of incompetency;
4. Provide that a respondent is not incompetent who is able, by means of a less restrictive alternative, to sufficiently manage the respondent's affairs and communicate important decisions concerning the respondent's person, family, and property;
5. Provide that examples of less restrictive alternatives include supported decision making, appropriate and available technological assistance, appointment of a representative payee, and appointment of an agent by the respondent, including appointment of a health care or financial power of attorney;
6. Require a petition to state what less-restrictive alternatives were considered before seeking adjudication and why those alternatives are insufficient to meet the respondent's needs; and
7. Strengthen the clerks' oversight of guardians of the person.

Except as otherwise provided, this act became effective September 28, 2023, when it became law.

## FAMILY LAW

### [House Bill 190 \(SL 2023-65\)](#): Dept. of Health and Human Services Revisions.-AB

See summary under Health Law.

### [House Bill 815 \(SL 2023-82\)](#): The Loving Homes Act.

House Bill 815 allows a foster home which otherwise qualifies for family foster home licensure but for having five children residing in the home to provide care for one foster child or sibling group and codifies certain provisions of the Administrative Code related to family foster homes.

Except as otherwise provided, this act became effective July 7, 2023.

### [Senate Bill 615 \(SL 2023-124\)](#): Adoption Law/Notary Changes/Guardianship Rts.

Senate Bill 615 does the following related to NC's adoption laws:

1. Allows for a former stepparent to adopt an adult adoptee;
2. Modifies the law related to the redaction of certain information from a preplacement assessment;
3. Expands the acknowledgment options related to agency relinquishments for adoption;
4. Establishes a procedure for addressing conflicts of interest when a report alleging abuse, neglect, or dependency is made; and
5. Clarifies that the appointment of a guardian ad litem for a minor parent under 7B-602 would not impact the minor parent's right to a guardian ad litem if the minor parent is also the subject of a separate juvenile petition and that a parent is not entitled to a guardian ad litem under Rule 17 of the North Carolina Rules of Civil Procedure solely because they are an unemancipated minor.

The bill also makes the maintenance of a journal of all notarial acts performed by a notary public permissive not mandatory.

Finally, the bill amends the laws governing guardianships and powers of attorney to do the following:

1. Require a general guardian or guardian of the estate to elect a fiscal year-end date upon the filing of the initial annual account, or, if made in a subsequent year, with

the clerk's permission, and to file each annual account within 30 days after the elected fiscal year-end unless the time for filing has been extended by the clerk;

2. Provide that a petition for judicial relief challenging the authority of an agent holding a power of attorney or the manner in which that authority has been exercised can be dismissed only upon motion filed by the principal acting individually, and not through the agent;

3. Require respondents in guardianship proceedings to be informed of their rights before and after an adjudication of incompetency;

4. Provide that a respondent is not incompetent who is able, by means of a less restrictive alternative, to sufficiently manage the respondent's affairs and communicate important decisions concerning the respondent's person, family, and property;

5. Provide that examples of less restrictive alternatives include supported decision making, appropriate and available technological assistance, appointment of a representative payee, and appointment of an agent by the respondent, including appointment of a health care or financial power of attorney;

6. Require a petition to state what less-restrictive alternatives were considered before seeking adjudication and why those alternatives are insufficient to meet the respondent's needs; and

7. Strengthen the clerks' oversight of guardians of the person.

Except as otherwise provided, this act became effective September 28, 2023, when it became law.

## GENERAL INTEREST

### [House Bill 103 \(SL 2023-46\): GSC Technical Corrections 2023.](#)

House Bill 103 contains corrections of a technical nature to the General Statutes and session laws. These technical corrections consist of removing obsolete references, removing unnecessary language, making stylistic changes for greater clarity or consistency, replacing legalese with plain English, making conforming changes, recodifying statutes for more logical placement in the General Statutes, fixing punctuation, adding clarifying language, making language gender-neutral, fixing the content or format of citations, fixing relative pronouns, modernizing the format of lists, correcting effective dates to reflect legislative intent, splitting up sentences for greater clarity, rewording terms for internal consistency, fixing capitalization, and fixing typographical errors.

This act became effective June 16, 2023, when it became law.

### [Senate Bill 552 \(SL 2023-57\): Modifications to Notary Public Act.](#)

Senate Bill 552 does the following:

1. Extends the authority for emergency video notarizations and emergency video witnessing to June 30, 2024;
2. Extends the authority for remote electronic notarizations to July 1, 2024;
3. Authorizes a registered electronic notary public to also perform remote electronic notarial acts; and
4. Adds additional definitions to the Electronic Notary Public Act, Article 2 of Chapter 10B of the General Statutes, and makes other conforming changes.

The finance provisions of the bill clarify the fees notaries may charge and add a new notary fee of \$15 per person for electronic oaths or affirmations that do not require a signature.

Except as otherwise provided, this act became effective June 23, 2023, when it became law.

**Senate Bill 582 (SL 2023-63): North Carolina Farm Act of 2023.**

Senate Bill 582 makes various changes to the agricultural and wastewater laws of the State with provisions on agritourism advertising, property-hauling vehicles, Veterinary Medical Board inspections, cleanup of animal waste spills, muscadine grape juice in schools, assault with a deadly weapon on inspectors, prescribed burning, unmanned aircraft near a forest fire, timber larceny, well contractors, and wastewater, among other things.

Except as otherwise provided, this act became effective June 27, 2023, when it became law.

**Senate Bill 91 (SL 2023-97): Amend Rule 4/Acceptance of Service.**

See summary under Litigation.

**House Bill 193 (SL 2023-103): AOC Ct Changes/Amend Expunction.**

House Bill 193 amends various provisions of the General Statutes as recommended by the Administrative Office of the Courts (AOC) and makes certain changes to the laws related to the expunction of criminal offenses. Specifically, the bill does the following:

1. Allows parties to pay money judgments with a credit or debit card;
2. Repeals the requirement that the AOC report annually to the Joint Legislative Oversight Committee on Justice and Public Safety about the implementation of the notice of waiver of costs to affected governmental entities;
3. Repeals the bond requirements for clerks of the Supreme Court, the Court of Appeals, and superior courts, and for magistrates;

4. Allows the Conference of District Attorneys to employ resource prosecutors eligible to practice across the state and, when assisting a district attorney, they have the same authority, power, and privileges as an assistant district attorney serving in the requesting district attorney's office;
5. Allows the Conference of District Attorneys to designate personnel to lobby for legislative action;
6. Provides that the training for district court judges specializing in juvenile cases include trauma-informed training on recognizing and mitigating adverse childhood experiences and adverse community environments;
7. Allows a clerk of superior court to assign the duty of passing on applications for excuses from jury services to judicial support staff and allows a clerk of superior court to review requests to be excused or exempted from jury service.
8. Requires that bonds taken or renewed by boards of commissioners be filed with the clerk of superior court and endorsed and certified by the chairman of the board of commissioners;
9. Requires the board of county commissioners to register with the register of deeds and file with the clerk of superior court the official bond of the sheriff. The bond must be taken on or before the first Monday of December after the election;
10. Allows a chief district judge to delegate authority to a chief magistrate to do the following:
  - Temporarily assign magistrates to out-of-county duty under exigent circumstances;
  - Designate certain magistrates to accept waivers of counsel and appoint counsel in non-capital cases; and
  - Conduct preliminary investigations into written complaints against magistrates, but not make written findings or take any disciplinary action.
11. Clarifies that the exemption from the prohibition of the collection of Social Security Numbers by state agencies applies to all court records, as opposed to only documents filed in court records;
12. Expands the information a register of deeds, clerk of court, or the AOC may remove from publicly accessible official records;
13. Clarifies that a register of deeds or clerk of court is not covered under a statute that requires businesses suffering a breach of confidential information to disclose the breach to affected individuals. Also clarifies that they are not liable for claims or damages that might result from the release of confidential information;
14. Adds a new subsection to Rule 5 allowing service by the court to be made by a notice that identifies the document filed and directs the recipient to an internet location where the document is available. Provides that service is made through the court's electronic filing system or case management system if performed on an attorney at an email address of record with the court or if performed on a party at an email address of record with the court and the party has consented to receive service through the system

and a copy of the consent is filed with the court. Provides that each member of the State Bar must provide a mailing address, phone number, and email address to the Secretary-Treasurer of the State Bar to be that member's contact information of record with the court;

15. Requires a commitment examiner that is filing a petition and affidavit for an involuntary commitment in a county that has implemented an electronic filing system approved by the Director of the AOC to file the affidavit and petition, as well as other supporting documentation and any subsequent documentation and notifications, through the electronic filing system. The original custody order would not be required to be mailed to the clerk or magistrate. Requires the findings of a physician, eligible psychologist, or commitment examiner or the certificate of a commitment examiner to be sent to the clerk of superior court through the electronic filing system, if the county has implemented a system approved by the Director of AOC, or by the most reliable and expeditious means otherwise available; and

16. Changes the criteria for an offense to be categorized as a non-violent felony by removing a felony conviction for breaking and entering a building with the intent to commit any felony or larceny inside the building from the list of violent crimes. Implements a 15-year waiting period if the crime sought to be expunged is a nonviolent felony involving breaking and entering a building with the intent to commit any felony or larceny inside the building. Adds two criteria to the list of criteria which a court must find before granting any petition for expunction.

Except as otherwise provided, this act became effective July 21, 2023, when it became law.

#### [Senate Bill 615 \(SL 2023-124\): Adoption Law/Notary Changes/Guardianship Rts.](#)

See summary under Family Law.

#### [House Bill 259 \(SL 2023-134\): 2023 Appropriations Act.](#)

House Bill 259, the 2023 State budget bill, became law on October 3, 2023. Several of the provisions in the budget bill affecting the judiciary, the N.C. State Bar, district bars, and the legal profession in general are listed below.

1. Raise Mandatory Retirement Age for Appellate Judges.
2. Appointment of Special Superior Court Judges by the Legislature.
3. Modify Judicial Standards Commission Membership.
4. Changes to the three-judge panel for actions challenging plans apportioning or redistricting State legislative or congressional districts and claims challenging the facial validity of an act of the General Assembly.
5. Appeals of right from certain decisions of the Court of Appeals.
6. Realign Superior Court, District Court, and Public Defender Districts with



Prosecutorial Districts.

7. Creation of new Public Defender Districts.
8. Creation of a State Bar Review Committee.
9. Changes in State Bar Dues.
10. Changes in District Bar Dues.
11. Changes to the NC State Bar Disciplinary Hearing Commission.
12. Repeal Privilege Tax on Professionals.

[House Bill 600 \(SL 2023-137\): Regulatory Reform Act of 2023.](#)

See summary under Environment, Energy & Natural Resources.

## GOVERNMENT & PUBLIC SECTOR

[Senate Bill 20 \(SL 2023-14\): Care for Women, Children, and Families Act.](#)

See summary under Health Law.

[Senate Bill 465 \(SL 2023-27\): Cities/Remove & Dispose of Abandoned Vessels.](#)

Senate Bill 465 expands authority over the removal and disposal of abandoned vessels from coastal counties to all counties and grants that same authority to cities.

This act became effective June 2, 2023, when it became law, but does not invalidate any local acts authorizing ordinances regulating the removal and disposal of vessels from navigable waters or any ordinances that were adopted under that authority before this act became law.

[Senate Bill 729 \(SL 2023-48\): CBCC Working Group Changes.](#)

Senate Bill 729 amends the Teachers' and State Employees' Retirement System (TSERS) contribution-based benefit cap law in an effort to resolve disputes related to the application of the anti-pension spiking law.

Except as otherwise provided, this act became effective June 19, 2023.

[Senate Bill 673 \(SL 2023-55\): Wastewater Regulatory Relief Act.](#)

See summary under Environment, Energy & Natural Resources Law.

[House Bill 130 \(SL 2023-58\): Energy Choice/Solar Decommissioning Rqmts.](#)

House Bill 130 prohibits local governments from adopting any ordinance that prohibits connection, reconnection, modification, or expansion of an energy service based on the

type or source of energy to be delivered to the end-user of the energy service.

The bill also requires owners of utility-scale solar projects to responsibly decommission projects upon cessation of operations and establishes financial assurance to cover the decommissioning.

This act has varying effective dates.

#### **Senate Bill 299 (SL 2023-59): Reimburse Late Audit Costs with Sales Tax Rev.**

Senate Bill 299 authorizes the Local Government Commission to withhold a county or municipality's sales tax distribution if the county or municipality fails to submit an annual audit report. The amount withheld would be equivalent to 150% of the cost of the required audit.

Section 1 of this act becomes effective January 1, 2024, and applies to audits for fiscal years ending on or after June 30, 2023. The remainder of the act became effective June 27, 2023, when it became law.

#### **Senate Bill 364 (SL 2023-62): Nondiscrim & Dignity in State Work.**

Senate Bill 364 amends the State Human Resources Act to prohibit compelled speech when an individual seeks State government or community college employment, to demonstrate the General Assembly's intent that State and community college employees recognize the equality and rights of all persons, and to prohibit State government and community college workplaces from promoting certain concepts that are contrary to that intent.

This act became effective December 1, 2023.

#### **House Bill 750 (SL 2023-64): Address ESG Factors.**

House Bill 750 does the following:

1. Prohibits State entities from creating or using environmental, social, and governance (ESG) criteria or economically targeted investments (ETI) requirements when making employment decisions;
2. Requires the State Treasurer to only consider pecuniary factors when (i) evaluating an investment or (ii) evaluating or exercising any right appurtenant to an investment; and
3. Allows the State Treasurer to reasonably conclude that not exercising a right

appurtenant to an investment is in the best interest of the fund's beneficiaries.

This act became effective June 27, 2023, when it became law.

[House Bill 190 \(SL 2023-65\)](#): Dept. of Health and Human Services Revisions.- AB

See summary under Health Law.

[House Bill 455 \(SL 2023-67\)](#): Expedite Water/Wastewater Franchise Transfer.

See summary under Administrative Law.

[House Bill 34 \(SL 2023-76\)](#): Protect Those who Serve and Protect Act.

See summary under Criminal Justice.

[House Bill 627 \(SL 2023-77\)](#): On-Site Wastewater Rules Implementation.

See summary under Administrative Law.

[Senate Bill 171 \(SL 2023-86\)](#): Department of Public Safety Agency Bill.-AB

See summary under Criminal Justice.

[House Bill 181 \(SL 2023-88\)](#): Unclaimed Property Division Changes.-AB

House Bill 181 allows holders of unclaimed property to authorize a third party to send the notice and file the reports required under state law. It also changes reporting and notice requirements for unclaimed property and makes technical changes to the unclaimed property statutes. Finally, it amends the amount of filing fees immediately due when filing an affidavit to collect personal property in an estate administration.

Except as otherwise provided, this act became effective July 10, 2023, when it became law.

[House Bill 203 \(SL 2023-89\)](#): DST Technical Corrections.-AB

House Bill 203 makes technical and conforming changes to the Teachers' and State Employees' Retirement System, the Local Governmental Employees' Retirement System, the Disability Income Plan of North Carolina, and the application of net proceeds of State lands, as recommended by the Department of State Treasurer.

This act becomes effective January 1, 2024.

[House Bill 814 \(SL 2023-92\)](#): Emergency Management Mods.

House Bill 814 makes various changes to the Emergency Management Act, the powers of

the Division of Emergency Management (Division), and other provisions governing emergency management. These changes include establishing a Statewide Interoperability Coordinator (SWIC) to coordinate voice and data interoperability programs, processes, and initiatives; requiring the Division to support local, regional, State, and federal disaster communications planning and response through integrated planning; making the North Carolina Geodetic Survey the authoritative source for North Carolina county and State boundary information and permitting the use of light detection and ranging (a.k.a. Lidar) in determining county boundaries; and creating the Hazardous Material Facility Account.

This act became effective July 10, 2023, when it became law.

#### **House Bill 173 (SL 2023-93): Treasury Administrative Changes Act.-AB**

House Bill 173 allows the State Treasurer to determine the manner in which administrative and management costs for banking and investment programs are allocated. Those costs would be paid with the income and assets of the programs.

This act became effective July 10, 2023, when it became law.

#### **House Bill 378 (SL 2023-104): Firefighters Criminal History Record Checks.**

House Bill 378 allows an alternative statewide criminal history record check for applicants being offered a position with a fire department to be conducted through the North Carolina Department of Public Safety, a third-party vendor, or the clerk of court, if the applicant meets certain requirements. Applicants for junior membership and current junior members in a fire department under 18 years old would be exempt from the criminal history record check. The criminal record history check would only be required when a position is being offered.

This act became effective July 21, 2023, when it became law, and applies to applications submitted and current members serving on or after that date.

#### **House Bill 201 (SL 2023-105): Retirement Admin. Changes Act of 2023-AB**

House Bill 201 does the following:

1. Changes the contributory death benefit for the Teachers' and State Employees' Retirement System (TSERS), the Local Governmental Employees' Retirement System (LGERS), the Legislative Retirement System (LRS), and the Consolidated Judicial Retirement System;
2. Makes changes to the second six months of short-term disability, to the review

and approval of short-term disability benefits, and to the application for extended short-term disability benefits under the Disability Income Plan of North Carolina;

3. Allows the first retirement benefit check to be paid by direct deposit rather than mailed;

4. Clarifies assets of the retirement systems trust fund will be used for the exclusive benefit of persons entitled to benefits under the plan and in accordance with the Internal Revenue Code;

5. Amends the survivors alternate benefit beneficiary default for TSERS, LGERS, and LRS; and

6. Amends the law pertaining to overpayment of funds when the overpayment is caused by administrative error.

This act becomes effective January 1, 2024.

#### **[Senate Bill 211 \(SL 2023-126\): Permit Multistate Water/Sewer Authority.](#)**

Senate Bill 211 allows political subdivisions from adjoining states to join a water and sewer authority to be organized by political subdivisions in North Carolina to maintain and operate a water or sewer system.

This act became effective October 2, 2023, when it became law, and applies to any water and sewer authority created under Article 1 of Chapter 162A of the General Statutes on or after that date.

#### **[Senate Bill 531 \(SL 2023-131\): Dam Safety Law Clarification.](#)**

See summary under Environment, Energy & Natural Resources.

#### **[House Bill 600 \(SL 2023-137\): Regulatory Reform Act of 2023.](#)**

See summary under Environment, Energy & Natural Resources.

#### **[Senate Bill 678 \(SL 2023-138\): Clean Energy/Other Changes.](#)**

See summary under Environment, Energy & Natural Resources.

#### **[Senate Bill 749 \(SL 2023-139\): No Partisan Advantage in Elections.](#)**

Senate Bill 749 does the following:

1. Effective January 1, 2024, increases the number of members of the State Board of Elections from 5 to 8, with all 8 members being appointed by the General Assembly;

2. Effective January 1, 2024, decreases the number of members of each of the 100 county boards of elections from 5 to 4, with all 4 members being appointed by the General Assembly;

3. Effective January 1, 2024, administratively transfers the State Board of Elections to the Secretary of State's Office; however, the Secretary of State does not direct or supervise management functions of the State Board of Elections;

4. Requires that, with respect to the conduct of elections, the emergency powers be exercised by the State Board of Elections rather than the Executive Director of the State Board of Elections;

5. Clarifies that the Executive Director of the State Board of Elections may designate an acting county director of elections if the county board of elections does not nominate an individual to serve as county director of elections;

6. Clarifies the 2024 appointments to certain boards and commissions in Senate Bill 512 (SL 2023-136);

7. With respect to photo ID for voting, makes technical and clarifying changes; and

8. With respect to the filing of the statement of economic interest, changes the filing date for filings associated with a notice of candidacy.

Except as otherwise provided, this act became effective October 10, 2023, when it became law.

#### **Senate Bill 747 (SL 2023-140): Election Law Changes.**

Senate Bill 747 makes various changes to the elections laws of the State, effective January 1, 2024. The topics addressed include early voting, funding of elections, records retention, poll observers and runners, precinct officials, same-day voter registration, date of second primary, write-in votes, identification proof for certain first-time voters, the electoral college, mail-in absentee ballots, election- related offenses, and foreign citizens on voter rolls.

Except as otherwise provided, this act becomes effective January 1, 2024, and applies to elections held on or after that date.

## **HEALTH LAW**

#### **Senate Bill 115 (SL 2023-3): Repurpose R.J. Blackley Ctr as Psych Hospital.**

Senate Bill 115 exempts from certificate of need review the conversion of a state- operated facility into a psychiatric hospital for children and adolescents, the creation of psychiatric beds at that hospital, and the establishment of psychiatric services at that hospital if certain criteria are met. The bill also repeals G.S. 122 C-181(a)(3)d., which establishes the R.J. Blackley Alcohol and Drug Treatment Center. Finally, the bill requires the

Secretary of the Department of Health and Human Services to enter into an agreement with a state entity meeting all the above criteria to operate a psychiatric hospital on the campus of the R.J. Blackley Alcohol and Drug Treatment Center.

This act became effective March 10, 2023, when it became law.

#### [House Bill 76 \(SL 2023-7\): Access to Healthcare Options.](#)

Part I of House Bill 76 does the following:

- Provides Medicaid coverage through NC Health Works to adults aged 18- 64 with incomes up to 133% of the federal poverty level, beginning on the later of (i) the date the Current Operations Appropriations Act for the 2023-2024 fiscal year becomes law or (ii) the federally approved start date;
- Provides increased Medicaid reimbursements to hospitals through the Healthcare Access and Stabilization Program (HASP) upon federal approval of a request developed and submitted by the Department of Health and Human Services; and
- Increases hospital assessments to provide funding for NC Health Works coverage and the HASP program.

Part II of the bill enacts various workforce development measures to promote employment among Medicaid enrollees.

Part III of the bill removes psychiatric beds and facilities, chemical dependency treatment beds and facilities, ambulatory surgical centers in large counties, MRI machines in large counties, certain home care agency treatment for minors, and the first \$3 million worth of replacement and diagnostic center equipment from certificate of need review.

Except as otherwise provided, this act became effective March 27, 2023, when it became law.

#### [Senate Bill 20 \(SL 2023-14\): Care for Women, Children, and Families Act.](#)

Part I of Senate Bill 20 repeals and replaces the current abortion law in North Carolina. Under the new law, abortion is permitted through the first twelve weeks of pregnancy for any reason, through the twentieth week of pregnancy if the pregnancy resulted from rape or incest, through the twenty-fourth week of pregnancy if there is a life-limiting anomaly in the unborn child, and at any time if there is a medical emergency for the pregnant woman. Part I also criminalizes the provision or advertising of abortion-inducing drugs in certain circumstances, prohibits eugenic abortions, and establishes informed consent and reporting requirements for abortion.

Part II of the bill requires that all surgical abortions be performed in hospitals, ambulatory



surgical centers, or licensed abortion clinics. It also establishes licensure requirements for abortion clinics.

Part III of the bill requires medical providers to employ the same duty of care for children born alive after attempted abortions that they would for any other child of the same gestational age and creates criminal penalties for failure to do so.

Part IV of the bill appropriates funds for long-term birth control, increases the Medicaid rate for obstetrics maternal bundle payments, expands the practice authority of Certified Nurse Midwives, and appropriates funds to expand the Safe Sleep North Carolina Campaign. Part V of the bill grants state employees eight weeks of paid leave after giving birth to a child and four weeks of paid leave after becoming a parent in any other manner.

Part VI of the bill amends the current law for the safe surrender of an infant by identifying specific individuals to whom an infant may be surrendered and outlining the duties, immunity, confidentiality, and notice related to a safely surrendered infant. It also appropriates funds to the State Maternity Home Fund, prevents racial discrimination in adopting or placing a child for foster care, increases the kinship care and foster care rates, appropriates funds to cover a loss in federal receipts from the Family First Prevention Services Act, and appropriates funds to the NC Finish Line Grants Program.

Part VII of the bill continues current funding for three-, four-, and five-star rated childcare facilities until October 1, 2023, when it increases. Tuition reimbursement for low-income children at private childcare facilities is decoupled from subsidized childcare market rates.

Part VIII of the bill expands the list of crimes that make an individual subject to satellite-based monitoring and expands the amount of time an individual would be subject to that monitoring. It also makes assault on a pregnant woman a crime.

Except as otherwise provided, this act became effective May 16, 2023, when it became law.

#### **Senate Bill 206 (SL 2023-15): Control Sub./Opioid/Vaccine/At Home Omnibus.**

Senate Bill 206 seeks to stop counterfeit pills, expand the definition of opioid antagonist, continue to authorize pharmacists, pharmacy interns, and pharmacy technicians to administer vaccinations and immunizations in response to the expiring Public Readiness and Emergency Preparedness Act; and extend the Acute Hospital Care at Home Program as implemented by the Centers for Medicare and Medicaid Services.

Except as otherwise provided, this act became effective May 19, 2023, when it became law.

**House Bill 346 (SL 2023-33): Reorganization and Economic Development Act.**

See summary under Corporate Counsel.

**Senate Bill 291 (SL 2023-40): QRIS/Star Rating System Reform**

Sections 1. (a) and (b) of Senate Bill 291 states that Environmental Rating Scales (ERS) assessments continue to not be required if the assessment would result in the licensed childcare facility losing a star rating because the facility lost educators and was unable to replace those educators with comparably educated individuals until June 30, 2024. When ERS assessments resume, the Division of Child Development and Early Education is required to maintain the reduced threshold percentage of lead teachers in the program required to meet the "rated licensed education requirements" criteria to earn QRIS/Star Rating education points at 50%. This reduction would expire on June 30, 2026, and, beginning July 1, 2026, the threshold percentage rate for lead teachers returns to 75%.

Section 2 requires the North Carolina Child Care Commission to complete recommendations for QRIS/Star Rating reform by March 31, 2024, and submit those recommendations to the Joint Legislative Oversight Committee on Health and Human Services before the 2024 legislative session begins.

This act became effective June 12, 2023, when it became law.

**House Bill 190 (SL 2023-65): Dept. of Health and Human Services Revisions.- AB**

House Bill 109 does the following:

1. Implements the Emergency Solutions Grant Program;
2. Equalizes State-County Special Assistance regardless of residence;
3. Amends contract language pertaining to nonprofit grantees receiving government funds;
4. Makes conforming name changes for the new Division of Child and Family Well-Being;
5. Clarifies duties of the Medical Care Commission.
6. Makes managed care-related changes for LME/MCO populations;
7. Changes "Substance Abuse" to "Substance Use" in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services Division;
8. Allows the newborn screening equipment fund to be used to maintain and support equipment;
9. Expands the professionals who can serve as county medical examiners;
10. Lengthens the duration of the County Plan for Work First/Temporary Assistance for Needy Families (TANF);
11. Removes a requirement for the child abuse and neglect document

required for public school students;

12. Amends definitions in the child support statutes and strengthens enforcement;
13. Recognizes child welfare training completed in another state;
14. Clarifies the maximum daily rate setting for adult day care services;
15. Renames the "Division of Vocational Rehabilitation Services" to the "Division of Employment and Independence for People with Disabilities";
16. Amends the education and experience requirements for registered environmental health specialists;
17. Authorizes opioid treatment program medication units and mobile units;
18. Adds Gabapentin to the Controlled Substance Reporting System;
19. Requires electronic prescribing of codeine cough syrup;
20. Adds over-the-counter opioid antagonists to the treatment and immunity statutes; and
21. Makes technical and conforming changes to S.L. 2023-14.

Except as otherwise provided, this act became effective June 29, 2023, when it became law.

**[Senate Bill 389 \(SL 2023-79\)](#): Parent Consent to Give Blood/Tech Correct.**

Senate Bill 389 requires written parental consent for a person 16 or 17 years of age to give or donate blood and makes technical and clarifying changes to the midwifery statutes.

Except as otherwise provided, this act became effective July 7, 2023, when it became law.

**[House Bill 344 \(SL 2023-80\)](#): Mental Health Lic. Fair Practice Stds.**

House Bill 344 requires the Division of Health Service Regulation, Department of Health and Human Services, to establish a quality dashboard making licensure, rule violation, and contested case information available on its website. It also must establish a workgroup to identify ongoing issues and provide training to providers based on the workgroup's findings.

This act became effective October 1, 2023.

**[House Bill 815 \(SL 2023-82\)](#): The Loving Homes Act.**

See summary under Family Law.

**[Senate Bill 45 \(SL 2023-83\)](#): CADIC Supervision Requirements.**

Senate Bill 45 changes the supervision requirements for certified alcohol and drug counselors and certified criminal justice addictions professionals. They would have to be supervised at a ratio of 1 hour of supervision for every 40 hours of practice for their first two years of practice. After two years, the ratio would be reduced to 1 hour of supervision for every 80 hours of practice. After four years, the ratio would be reduced to 1 hour of supervision for every 160 hours of practice.

This act became effective October 1, 2023.

**[Senate Bill 507 \(SL 2023-84\): Chiropractic Preceptorship Modifications.](#)**

Senate Bill 507 allows students in a chiropractic preceptorship program to observe and perform chiropractic services under the direct supervision of a licensed chiropractor.

This act became effective October 1, 2023.

**[Senate Bill 722 \(SL 2023-87\): Child Care Flexibilities.](#)**

Senate Bill 722 directs the Department of Health and Human Services, Division of Child Development and Early Education, to develop and implement criteria to allow the child development associate credential to satisfy education requirements of the star rating system for childcare.

This act became effective October 1, 2023.

**[House Bill 782 \(SL 2023-91\): Movie Sets/Radon/Licensee Experience.](#)**

See summary under Administrative Law.

**[House Bill 484 \(SL 2023-95\): Mental Health Confidential Info. Disclosure.](#)**

House Bill 484 amends current law to conform to federal regulations with regard to the requirements for disclosure of confidential information regarding a client by a mental health facility and requires the adoption of temporary rules until permanent rules become effective.

This act became effective October 1, 2023, and applies to releases of information consented to on or after that date.

**[House Bill 674 \(SL 2023-96\): Child Advocacy Centers/Share Information.](#)**

House Bill 647 establishes the following: criteria for Children's Advocacy Centers to

receive State funds, confidentiality requirements for the sharing of information and access to records held by the Centers and multidisciplinary teams, and immunity from liability under certain circumstances for the multidisciplinary team, individuals, and volunteers working for a Center.

This act becomes effective July 1, 2024.

**[Senate Bill 49 \(SL 2023-106\): Parents' Bill of Rights.](#)**

See summary under Education Law.

**[House Bill 808 \(SL 2023-111\): Gender Transition/Minors.](#)**

House Bill 808 prohibits medical professionals from performing surgical gender transition procedures on minors and prescribing, providing, or dispensing puberty-blocking drugs or cross-sex hormones to minors, with some exceptions. Medical professionals who violate these provisions would have their licenses revoked, and minors who underwent a surgical gender transition procedure or who were prescribed or provided with puberty-blocking drugs or cross-sex hormones would have a private right of action against the medical provider who performed the procedure or prescribed or provided the drugs. State funds could not be used for surgical gender transition procedures on minors and prescribing, providing, or dispensing puberty-blocking drugs or cross-sex hormones to minors.

The provisions of this bill allowing a civil cause of action became effective July 1, 2023. The provisions prohibiting surgical gender transition procedures, puberty-blocking drugs, or cross-sex hormones for minors and funding for those treatments became effective August 1, 2023. The provisions allowing the State Health Plan to cover certain treatment would expire 30 days after the court order requiring that coverage is vacated or overturned. The remainder of the act became effective August 16, 2023, when it became law.

**[House Bill 323 \(SL 2023-115\): Retain Adult Devel. Voc. Rehab. Programs.](#)**

House Bill 323 prohibits DHHS from reducing the number of Adult Developmental and Vocational Programs and Community Rehabilitation Programs or the number of individuals in those programs without consulting stakeholders and appropriately reviewing current services.

This act became effective August 24, 2023, when it became law.

**[House Bill 125 \(SL 2023-129\): NC Health & Human Services Workforce Act.](#)**

See summary under Administrative Law.

[House Bill 361 \(SL 2023-135\)](#): **Require Report/Protection & Advocacy Agency.**

See summary under Elder & Special Needs Law.

[House Bill 415 \(SL 2023-141\)](#): **Stop Addiction Fraud Ethics Act of 2023.**

See summary under Antitrust & Complex Business Disputes Law.

[Senate Bill 274 \(SL 2023-150\)](#): **Senior Care Options.**

See summary under Administrative Law.

## **INSURANCE LAW**

[Senate Bill 157 \(SL 2023-13\)](#): **Limited Provisional License Modification.**

Senate Bill 157 does the following:

1. Reduces the minimum amount of time a teen must hold a Level 1 limited learner's permit before applying for a Level 2 limited provisional license under graduated drivers licensing; and
2. Provides that when a vehicle driven by an unsupervised Level 2 limited provisional licensee has a family/household member passenger under the age of 21, the vehicle may also have one non-family/non-household member passenger under the age of 21 when that passenger is a student being driven directly to or from school.

Except as otherwise provided, this act became effective May 6, 2023, when it became law.

[House Bill 186 \(SL 2023-114\)](#): **Juv Just Mods/DOI Expenses/Technical Changes.**

See summary under Juvenile Justice & Children's Rights.

[Senate Bill 452 \(SL 2023-133\)](#): **DOI & Ins. Law Amd./Revise HS Athletics.**

Senate Bill 452 make various changes to the insurance laws of North Carolina, including the following: the Surplus Lines Act, the Insurance Guaranty Act, transactions within an insurance holding company system, workers' compensation large deductible policies and insured collateral in liquidation proceedings, on-site audit requirements for third-party administrators, certain criminal penalties, certificate of insurance prohibitions, insurance premium convenience fees, minimum liability limits for State-required insurance, compliance with a medical records subpoena, small employer access to stop loss, catastrophic, and reinsurance coverage, and Beach Plan policy limits.

Senate Bill 452 also revises oversight of high school interscholastic athletics. Specifically, the bill reduces the NC High School Athletic Association's authority to govern eligibility, academics, health & safety, amateurism, and other topics and places that authority with the State Superintendent of Public Instruction and the State Board of Education.

Except as otherwise provided, this act became effective October 3, 2023, when it became law.

[Senate Bill 409 \(SL 2023-151\)](#): Various Changes to Criminal and Civil Laws.

See summary under Criminal Justice.

## JUVENILE JUSTICE & CHILDREN'S RIGHTS

[House Bill 611 \(SL 2023-56\)](#): Modify Training/Standards Commissions Power.

See summary under Administrative Law.

[House Bill 190 \(SL 2023-65\)](#): Dept. of Health and Human Services Revisions.- AB

See summary under Health Law.

[Senate Bill 389 \(SL 2023-79\)](#): Parent Consent to Give Blood/Tech Correct.

See summary under Health Law.

[House Bill 815 \(SL 2023-82\)](#): The Loving Homes Act.

See summary under Family Law.

[House Bill 674 \(SL 2023-96\)](#): Child Advocacy Centers/Share Information.

See summary under Health Law.

[Senate Bill 49 \(SL 2023-106\)](#): Parents' Bill of Rights.

See summary under Education Law.

[House Bill 808 \(SL 2023-111\)](#): Gender Transition/Minors.

See summary under Health Law.

[House Bill 186 \(SL 2023-114\)](#): Juv Just Mods/DOI Expenses/Technical Changes.

House Bill 186 makes the following changes to the juvenile justice system:

1. Class A through G felonies committed by juveniles who are 16 or older, and Class A felonies committed by juveniles who are under 16 will be transferred to superior

court for trial as an adult upon the filing of an indictment;

2. Certain identifying information about juveniles could be released to the public if a court issues an order authorizing the release of the information or exigent circumstances exist;

3. The law related to custodial interrogation of juveniles who are 16 or older is amended to authorize statements made in the presence of a "caretaker" when the juvenile's parent, guardian, or custodian cannot be reached;

4. A juvenile justice court counselor is authorized to serve the required individuals with the petition and summons for a juvenile case and clarify the applicability of certain defenses that relate to juvenile processes;

5. The court is authorized to conduct a hearing to determine if a juvenile needs any medical evaluation or treatment and to order the juvenile to comply with any recommended treatment; and

6. The Division of Juvenile Justice of the Department of Public Safety is required to create, implement, and evaluate juvenile minority sensitivity and racial and ethnic disparities training annually.

The bill also authorizes the Department of Insurance to fund and enter into a lease agreement for the temporary relocation of the Department's offices. The lease agreement funded shall be for a term not to exceed five years and shall not be renewed without prior approval from the General Assembly. The Department shall complete the relocation process no later than October 15, 2023.

The juvenile justice changes became effective December 1, 2023, and apply to offenses committed on or after that date. Except as otherwise provided, the remainder of the act became effective August 24, 2023, when it became law.

#### **[Senate Bill 579 \(SL 2023-127\): Prevent Harm to Children.](#)**

See summary under Criminal Justice.

#### **[House Bill 142 \(SL 2023-128\): Protect our Students Act.-AB](#)**

See summary under Criminal Justice.

#### **[House Bill 8 \(SL 2023-132\): Various Statutory Changes.](#)**

See summary under Education Law.

### **LABOR & EMPLOYMENT LAW**

#### **[Senate Bill 20 \(SL 2023-14\): Care for Women, Children, and Families Act.](#)**

See summary under Health Law.



[Senate Bill 364 \(SL 2023-62\)](#): Nondiscrim & Dignity in State Work.

See summary under Government & Public Sector.

[House Bill 750 \(SL 2023-64\)](#): Address ESG Factors.

See Summary under Government & Public Sector.

[Senate Bill 195 \(SL 2023-102\)](#): UNC Omnibus.

See summary under Education Law.

[House Bill 378 \(SL 2023-104\)](#): Firefighters Criminal History Record Checks.

See summary under Government & Public Sector.

[House Bill 201 \(SL 2023-105\)](#): Retirement Admin. Changes Act of 2023-AB

See summary under Government & Public Sector.

## LITIGATION

[House Bill 40 \(SL 2023-6\)](#): Prevent Rioting and Civil Disorder.

See Summary under Criminal Justice.

[Senate Bill 91 \(SL 2023-97\)](#): Amend Rule 4/Acceptance of Service.

Senate Bill 91, among other things, permits a party to a civil action to accept service of process using a form provided by the Administrative Office of the Courts, makes the participation in, or furtherance of, unlawful street takeovers a crime, and modifies procedures for Class H or I felony pleas and probation revocation hearings.

Except as otherwise provided, this act became effective July 10, 2023, when it became law.

[House Bill 808 \(SL 2023-111\)](#): Gender Transition/Minors.

See summary under Health Law.

## MILITARY & VETERANS LAW

[Senate Bill 171 \(SL 2023-86\)](#): Department of Public Safety Agency Bill.-AB

See summary under Criminal Justice.

[House Bill 125 \(SL 2023-129\)](#): NC Health & Human Services Workforce Act.

See summary under Administrative Law.

## PRIVACY & DATA SECURITY

### [House Bill 484 \(SL 2023-95\)](#): Mental Health Confidential Info. Disclosure.

See summary under Health Law.

### [House Bill 674 \(SL 2023-96\)](#): Child Advocacy Centers/Share Information.

See summary under Health Law.

## REAL PROPERTY

### [Senate Bill 53 \(SL 2023-5\)](#): Hotel Safety Issues.

Senate Bill 53 provides that the rental of an accommodation by an inn, hotel, motel, recreational vehicle park, campground, or similar lodging to the same person for fewer than 90 consecutive days does not create a tenancy or a residential tenancy subject to Chapter 42 of the General Statutes.

This act became effective when it became law March 19, 2023, and applies to a person renting an accommodation in an inn, hotel, motel, recreational vehicle park, campground, or similar lodging facility on or after that date. A person's rental period would be required to be calculated from the first day of consecutive occupation or right of occupation in the lodging facility, regardless of whether the period began before the effective date of this bill.

### [House Bill 608 \(SL 2023-68\)](#): Safety Requirements for Elevators.

House Bill 608 changes elevator safety requirements for certain rental accommodations and requires the Building Code Council to amend the North Carolina State Building Code accordingly.

Except as otherwise provided, this act became effective June 30, 2023, when it became law.

### [House Bill 488 \(SL 2023-108\)](#): Code Council Reorg. and Var. Code Amend.

See summary under Construction Law.

### [House Bill 422 \(SL 2023-117\)](#): Unfair Real Estate Agreements Act.

House Bill 422 prohibits unfair real estate service agreements and the recording of unfair real estate service agreements. It also provides remedies for owners harmed by the recording of unfair real estate service agreements.

This act became effective August 24, 2023, when it became law, and applies to unfair

real estate service agreements that are executed, modified, extended, or amended on or after that date.

**Senate Bill 677 (SL 2023-142): Surveyors Right of Entry/Exped. Comm. Bldg.**

Senate Bill 677 gives licensed professional land surveyors and their agents, employees, and personnel under their supervision, a limited right to enter into the lands of others if necessary to perform surveys, after making a reasonable effort to notify adjoining landowners upon whose land entry is necessary. The bill also expedites plan review processes and authorizes the use of limited at-risk construction permitting options for certain commercial and multifamily building projects.

Except as otherwise provided, this act became effective October 21, 2023, when it became law.

**SPORTS & ENTERTAINMENT LAW**

**House Bill 347 (SL 2023-42): Sports Wagering/Horse Racing Wagering.**

House Bill 347 does the following:

1. Authorizes, regulates, and taxes sports wagering in North Carolina. The Lottery Commission would be responsible for issuing licenses to involved parties and regulating sports wagering in North Carolina;
2. Authorizes and regulates pari-mutuel wagering on horse racing in North Carolina. The Lottery Commission would be responsible for issuing licenses to involved parties and regulating pari-mutuel wagering in North Carolina;
3. Authorizes live horse racing in North Carolina. The Lottery Commission would be responsible for regulation of horse racing; and
4. Creates and provides funding for the North Carolina Major Events, Games, and Attractions Fund, which would be administered by the Department of Commerce to provide grants for local governments or nonprofit entities working with local governments to attract major entertainment, musical, political, sporting, and theatrical events to the State to stimulate economic activity and create jobs.

Sections 1, 2, 3, 4, 5.1, 5.5, and 6 of this act become effective January 8, 2024. Section 5 of this act becomes effective January 8, 2024, and applies to gross wagering revenue received on or after that date.

Except as otherwise provided, this act became effective June 14, 2023, when it became law.

## TAX

### [Senate Bill 174 \(SL 2023-12\)](#): Rev. Laws Tech., Clarifying & Admin. Chngs.

Senate Bill 174 makes various technical, clarifying, and administrative changes to the revenue laws as recommended by the Department of Revenue, including changes to corporate and individual income tax, sales tax, excise tax, property tax, and administration and collections.

This bill also addresses the SALT cap workaround. The SALT cap workaround allows pass-through entities to elect to pay the State income taxes at the entity level, which is not subject to the federal state and local tax (SALT) cap of \$10,000. The 2017 Tax Cuts and Jobs Act (TCJA) imposed a \$10,000 cap on the amount of SALT individual taxpayers can deduct on their federal returns. Typically, pass-through entities such as partnerships and S Corporations allocate business income to the owners' individual income tax returns, which is subject to the SALT cap. In proposed regulations (Notice 2020-75), the Internal Revenue Service and the Department of the Treasury signaled their approval of a workaround that allows the pass-through entity to pay the state income taxes at the entity level, which is not subject to the SALT cap. This workaround allows the owners to avoid the SALT cap on the taxes paid by the entity. The workaround only works for shareholders and members of S Corporations, partnerships, and LLCs treated as partnerships for federal income tax purposes. The bill also modifies the calculation of the entity-level tax in NC by excluding income from the entity-level tax calculation. The impact to the SALT cap workaround is non- NC sourced income is no longer included in the taxable income of the entity. This portion of the act is effective for taxable years beginning on or after January 1, 2023.

Except as otherwise provided, this act became effective April 3, 2023, when it became law.

### [Senate Bill 299 \(SL 2023-59\)](#): Reimburse Late Audit Costs with Sales Tax Rev.

See summary under Government & Public Sector.