



INTRODUCTION

With Crossover this Thursday, the General Assembly has been hard at work moving as many bills from one chamber to the next in order to keep them in play for this biennium. Last week was full of long voting sessions and late-night Rules Committee meetings, and we expect a lot of the same for this week leading into Crossover. It is a dangerous time as bills move quickly and with very little notice and public comment is restricted.

House Bill 805, Prevent Rioting and Civil Disorder

House Speaker Tim Moore and other Republican legislators are backing a bill that would make rioting a felony if it causes significant property damage or injures someone. Under this bill, those who willfully engage in such acts could face felony charges and be held in jail for up to 48 hours. Upon conviction, they could be sentenced to two years in prison. Property owners would also have the opportunity to sue rioters for damages under this legislation. "We are a nation of laws, not a nation of mob rule," the Speaker said when presenting his bill in committee. "Regardless of the political spectrum one comes from, we all have to be able to say that's not right. That's not the way folks should conduct themselves." Opponents of the bill believe this bill could have a chilling effect on freedom of speech and is unreasonably harsh.

House Bill 781, Bring Businesses Back to Downtown

House Bill 781 has made its rounds through committees this week and passed the House with a 103-7 vote. This bill would allow municipalities to install "social districts" which is defined as a specific outdoor area in which a person can consume alcoholic beverages sold by a permittee. This would allow patrons to step out of participating establishments onto the street or designated area of the social district with their beverage. Requirements for social districts include specified signage, city or county management and maintenance plans, and the submission of a detailed map of the social district's boundaries and hours to the ABC Commission. This would be entirely voluntary and an option for municipalities to opt-in to. If they choose to create a social district, they have the opportunity to create the district however they see fit. It could be on designated days, at certain times, or all the time, whatever suits the municipality. It is now headed over to the Senate.



NORTH CAROLINA SECURITY AND LOW VOLTAGE ASSOCIATION



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FOR MORE INFORMATION:

Colleen Kochanek
NCSLVA Legislative Counsel
P.O. Box 1038
Wake Forest, NC 27588
919.809.5600
colleen@kochaneklawgroup.com
www.kochaneklawgroup.com

House Bill 782, Elections Certainty Act

House Bill 782 was filed and heard in its first committee stop in House Election Law and Campaign Finance Reform last week. It is sponsored by House Election's Co-Chairman Grey Mills, along with Republican Reps. Keith Kidwell, Tim Moffitt, and Jeff Zenger. This bill, as filed, would have required completed applications for mail-in absentee ballots and marked ballots to be returned to the county board of elections by 5 pm on Election Day, regardless of postmark. It would also change the "one-stop" voting period to the third Monday before an election until 3 pm on the last Saturday before an election. In the original version, the bill also proposed that military-overseas ballots would be required to be received by the county board no later than the close of the polls on the date of the election just like all other ballots. In the House Committee on Election Law and Campaign Finance Reform the bill was amended to remove the military-overseas ballot provision. The amendment also removes any reference to early voting, adds three days to receive mail-in ballots, and provides an additional 24 hours to count the ballots. The bill passed the committee with its changes and has been referred to the House Rules Committee.

House Bill 606, Prohibit Collusive Settlements by the AG

House Bill 606 passed the House last week, 60-48. This bill is the House version of Senate Bill 360, which has passed the Senate and has been referred to the House Rules Committee. Both bills would require joint approval from the Speaker of the House and the President Pro Tempore of the Senate before the Attorney General can enter into a consent judgement or settlement agreement in a dispute, claim, or controversy in which the Speaker of the House or the President Pro Tempore of the Senate have intervened or are otherwise named parties. This bill was a Republican response to the State Board of Elections settlement agreement and rule change during the 2020 election, that ultimately lengthened the number of days the Board of Elections could accept absentee ballots postmarked by Election Day to nine days after November 3rd. Republicans have held that that settlement was unlawful and changed election law, which the General Assembly has sole constitutional authority to do. This came after the General Assembly passed bipartisan election measures related to the pandemic for the election. Democrats have held that the Board of Elections acted within its authority to settle the case and to address concerns raised about delays with the U.S. Postal Service following a letter from the U.S. Postmaster General. House Bill 606 is now headed over to the Senate.

House Bill 398, Pistol Purchase Permit Repeal

House Bill 398, which would repeal the state's pistol purchase permit system, passed the House last week with a vote of 69-48. The measure, backed by the NC Sheriffs' Association, would remove the requirement for local sheriffs to sign off on handgun purchases for anyone who does not already have a concealed carry permit. The Sheriffs' Association, who in years' past has been opposed to the idea, has come out in support of this measure after the North Carolina courts system completed its uploading of involuntary commitment records to the national database system. Opponents of the bill fear that this repeal would create a loophole, since only licensed firearm dealers have to run background checks. Some members of the Sheriffs' Association have even spoken out against the measure too. The bill has now been referred to the Committee on Rules and Operations of the Senate.

This Week at the Legislature

The Speaker has told House members to expect a full week, this week, starting on Monday. He encouraged committee chairs to call meetings for Monday to hopefully get bills moving, and

possibly see them on the floor for a vote that night or the next day. The Speaker expects voting sessions on the House floor every day next week until Crossover on Thursday.

BILLS OF INTEREST

HOUSE BILL 779, Coronavirus Vaccine Bill of Rights, would ensure that residents of this State who choose not to take any of the coronavirus vaccines enjoy the same rights as residents who choose to take any such vaccines by including provisions to:

- prohibit a person from being mandated, coerced, forced, or pressured to take any of the coronavirus vaccines;
- provide that all persons reserve the right, at all times, to determine what is in their own best medical interest without threat to their livelihood, education, or freedom of movement;
- prohibit employers of health care providers licensed in this State to administer any of the coronavirus vaccines from requesting their health care providers to promote any of the coronavirus vaccines to patients;
- require health care providers who administer any of the coronavirus vaccines to attest that they: are aware of the Vaccine Adverse Event Reporting System (VAERS) database; have a professional obligation to check the VAERS database regularly; and have a professional obligation to share information about the VAERS database with each person to whom they administer any of the coronavirus vaccines;
- provide that all persons are entitled to have access to unbiased, independent information about the coronavirus vaccines to assist them in determining what is in their own best medical interest, including information about the risk of death associated with choosing not to take any of the coronavirus vaccines and contracting the virus naturally, based upon factors such as age and underlying health conditions;
- provide that, in order to be deemed unbiased and independent, this information must include information from sources other than pharmaceutical companies and government or quasi-governmental entities that have a conflict of interest in promoting the coronavirus vaccines;
- prohibit a person from being required to provide proof of having received any of the coronavirus vaccines as a condition of doing any of the following:
 - entering any public buildings, public lands, or public spaces owned, leased, or otherwise controlled by the state;
 - participating in any public events;
 - accessing any public transportation;
 - attending any public school or educational institution; or
 - obtaining or maintaining employment with any public or private employer.

Introduced by Representative Pless and referred to the House Rules Committee.

HOUSE BILL 782, Elections Certainty Act, would amend provisions regarding the return of mail-in absentee ballots to the county board and the early one-stop voting period as follows:

- no longer allow excused absentee ballots received later than 5:00 p.m. on the date of the statewide primary or general election or county bond election to be accepted if (1) the ballots are postmarked and dated on or before the date of the statewide primary or general election or county bond election and received by the county board of elections no later than three days after the election by 5:00 p.m., or (2) the ballots are received by the county board of elections no later than the end of business on the business day before the canvass conducted by the county board;

- no longer consider valid military-overseas ballots submitted for mailing, electronic transmission, or other authorized means of delivery by 12:01 a.m. at the place where the voter completed the ballot on the date of the election;
- specify that the right to challenge the absentee ballot of any voter on the day of any Statewide primary or general election or county bond election beginning at noon and ending by 5:00 p.m. applies to ballots received by the county board pursuant to the general deadline; and
- expand early one-stop voting to the period of the third Monday before an election in which absentee ballots are authorized and 3:00 p.m. on the last Saturday before the election.

Introduced by Representatives Mills, Kidwell, Moffitt, and Zenger and referred to the House Election Law and Campaign Finance Reform Committee.

HOUSE BILL 783, Create Bldg. Code Permit Tech. Cert., would authorize the North Carolina Code Officials Qualification Board to develop a State Building Code Permit Technician certification program and State Building Code Permit Technician Certificate. The Board would:

- require a person, in order to obtain a certificate, to pass an examination based on the North Carolina State Building Code, administrative procedures applicable to permit administration, and relevant topics in support of Code-enforcement officials and local inspection departments;
- establish professional development requirements as a condition of the renewal of the certificates to assist in maintaining professional competence;
- require the certificate to be renewed annually on or before the first day of July;
- establish a schedule of fees for initial certification and renewal certification;
- grant a certificate, without requiring an examination, to a person who, at the time of application, possesses a Building Inspector standard certificate issued by the Board and who is in good standing; and
- grant a certificate, without requiring an examination, to a person who, at the time of application, is similarly certified as a permit technician in good standing by a similar board of another jurisdiction or certified as a permit technician in good standing by the International Code Council, where standards are acceptable to the Board (this certificate would expire after one year unless, within that time period, the holder completes a short course based on the North Carolina State Building Code and administrative procedures).

Introduced by Representatives von Haefen and Brody and referred to the House Committee on Local Government - Land Use, Planning and Development.

HOUSE BILL 786, Enhance Local Response/Mental Health Crises, would create a pilot program to provide grants to local law enforcement agencies to enhance responses to mental or behavioral health crises. Specifically, the bill would:

- provide grants to municipal police departments and county sheriffs' offices for at least one of the following purposes:
 - to establish nonpolice units to address nonviolent, noncriminal 911 calls regarding mental health, homelessness, substance use, or other behavioral health crises;
 - to establish co-responder response models in which law enforcement personnel and mental health specialists jointly respond to 911 calls regarding mental or behavioral health crises;
 - to establish a mental health division or to bolster existing mental health services within a police department or sheriff's office and to increase the amount of law

- enforcement personnel and 911 communications personnel that have received crisis intervention training;
- provide \$2 million to the Department of Public Safety for grants to municipal police departments or county sheriffs' offices as follows:
 - \$800,000 to establish eight nonpolice response units with a grant of \$100,000 each;
 - \$700,000 to establish seven co-responder response models with a grant of \$100,000 each;
 - \$500,000 to increase the amount of law enforcement officers and 911 communications personnel that have received Crisis Intervention Training (awarded as five separate grants of \$100,000 each);
- require, no later than February 1, 2023, the police departments and sheriffs' offices to report specified information to the Department of Public Safety, including: explanations of how grant funds were utilized; demographic information regarding both participating mental health specialist personnel and individuals served as a result of the localities' dispatched services; dispatch case types in which nonpolice, co-responder, or mental health division personnel responded; the frequency of unit dispatch and of police or ambulance backup or requests among nonpolice, co-responder, or mental health division personnel; county involuntary commitment rates before and during the pilot program; complaints filed against nonpolice, co-responder, or mental health division personnel units; operating costs; emergency 911 response metrics analyzing how the pilot services impacted the localities' emergency response services; and results of emergency 911 calls for services that utilized pilot program services; and
- direct the Department of Public Safety, by March 1, 2023, in consultation with the Department of Health and Human Services, to report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding the pilot programs and information above.

Introduced by Representatives Autry, Lambeth, White, and Ball and referred to the House Health Committee.

HOUSE BILL 799, Libel Standards/Press, would make it a Class 2 misdemeanor for a manager, editor, publisher, reporter, or employee of a newspaper or periodical to publish or disseminate any false and libelous statement with actual malice directly towards any person who currently holds a State or federal public office in this State. The bill would prohibit a newspaper, radio or television station, or other media outlet from publishing or disseminating libelous matter, through written, oratory, or digital means, with actual malice directed towards an individual who currently holds a State or federal public office in this State, but would not prevent publishing or disseminating information that provides fair comment and criticism on matters of public interest. "Actual malice" would mean with knowledge that the matter was false or with reckless disregard of whether it was false or not. **Introduced by Representative Moffitt and referred to the House Judiciary 1 Committee.**

HOUSE BILL 802, Pilot STAR Programs, would provide \$990,000 to the Department of Public Safety to provide grants for a pilot Support Team Assisted Response (STAR) Program in the Charlotte, Greensboro, and Greenville police departments. The pilot STAR Programs would provide alternative responses to citizens in crisis and allow for the response of behavioral and medical health personnel to nonviolent situations deemed appropriate by the city police department. At a minimum, those responding to citizens on behalf of each STAR Program should be equipped to provide individuals with information regarding shelter, food aid, counseling, and

medication, as necessary. No later than April 1, 2022, the Department of Public Safety, in consultation with the city police departments of Charlotte, Greensboro, and Greenville, would report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding: (1) the general progress of each STAR Program; (2) the number and outcomes of incidents in which each police department utilized its STAR Program; and (3) an itemized accounting from each police department of the use of grant funds. **Introduced by Representatives Farkas, Hardister, and Brown and referred to the House Appropriations Committee.**

HOUSE BILL 804, DOA/DOI Auth. Clar. for State-Owned Build, would amend provisions regarding the Commissioner of Insurance's duty to conduct fire safety inspections of every State property to now require the Commissioner to provide written notification to the agency or official in charge of the property of any defect, condition, or change of use (was, defect only) noted by the Commissioner or any improvement considered by the Commissioner to be necessary, with a copy of the notice forwarded to the Department of Administration. The Commissioner would: (1) restrain, correct, or abate the violation or prevent the occupancy or use of the building, structure, or land until the violation is corrected upon determining an imminent undue hazard to life, safety, or property due to a defect, condition, or the use of a building owned by the State; and (2) supervise and inspect all work done and materials used in the construction or renovation of all State buildings, including all community college buildings, that pertains to the electrical systems and fire protection features and component of the construction or renovation. **The State Commissioner of Insurance would have general authority to supervise, administer, and enforce all sections of the North Carolina State Building Code pertaining to electrical and fire protection features and components during the construction or renovation of State property generally, and to inspect and approve construction, except those sections of the Code for which enforcement is specifically allocated to other agencies.** The bill would establish procedures for when the Commissioner notes a defect or condition or an improvement necessary to comply with the Code pertaining to electrical systems and fire protection of State property, including notifying the Department of Administration who must respond within 30 days of notice indicating that the defect, condition, or improvement has been addressed, completed, or intent exists to formulate a plan to address the defect or condition. When the defect or condition noted results in an imminent undue hazard to life, safety, or property, the Commissioner would (1) prevent the unlawful maintenance, erection, construction, reconstruction, or alteration of purpose, (2) restrain, correct, or abate the violation, or (3) prevent the occupancy or use of the building, structure, or land until the violation is corrected. The bill also would amend the Secretary of Administration's powers and duties with regard to the protection of all public building and grounds from fire to require consultation and cooperation with the Commissioner with regard to fire protection features and components, and electrical installation means for building and properties owned by the State. **Introduced by Representatives Davis, Clampitt, and Brody and referred to the House Insurance Committee.**

HOUSE BILL 805, Prevent Rioting and Civil Disorder, would: (1) increase the penalties for rioting or inciting rioting that results in damage to property, serious bodily injury, or death and assaulting emergency personnel during a riot or state of emergency; (2) allow recovery of treble damages for property damage or personal injury caused by rioting or looting; and (3) require pretrial release conditions for rioting and looting offenses to be determined by a judge. **Introduced by Representatives Moore, McNeill, Miller, and Sauls and referred to the House Judiciary 4 Committee.**

HOUSE BILL 809, NC Healthy Family Act, would expand Medicaid eligibility to include individuals between the age of 19 and 65 whose modified adjusted gross income is less than or equal to 133% of the federal poverty guidelines and direct the Department of Health and Human Services to provide Medicaid coverage for these individuals consistent with the State's current Medicaid and NC Health Choice Program. The bill would provide that additional costs associated with the expansion would be covered by federal funds the State receives under certain provisions of the American Rescue Plan Act of 2021, and, once those federal funds are no longer sufficient, that the General Assembly intends to impose on hospital providers paying the supplemental assessment or base assessment an additional assessment to cover the State's share of the program and administrative costs associated with the expansion of Medicaid eligibility. **Introduced by Representatives Cunningham, R. Smith, Cooper-Suggs, and Gailliard and referred to the House Rules Committee.**

HOUSE BILL 818, Regulate Cannabinoid Products, would direct the Board of Agriculture to establish a voluntary certification program for good manufacturing practices in manufacturing, packaging, or labeling operations for cannabinoid-related compounds derived from hemp. **Introduced by Representatives Sasser, Humphrey, and McNeely and referred to the House Agriculture Committee.**

HOUSE BILL 832, Social Media Impartiality Act, would establish a process under the campaign finance laws to address when a candidate for elective office is censored on a social media platform. The bill would require the company to submit, in writing, to the State Board of Elections the reason for censorship within three calendar days of censoring the candidate. The State Board of Elections would then hold a hearing within three calendar days to determine if the company's actions were justified and provide written notice to the candidate and the company of its decision. If the State Board determines that the company has censored a candidate without due cause, the company would be subject to civil penalties for illegal in-kind contributions. A candidate or company could appeal the decision to the Joint Legislative Commission on Governmental Operations. **Introduced by Representatives Johnson, McNeely, Kidwell, and Greene and referred to the House Commerce Committee.**

HOUSE BILL 839, Whiz Kids/Slow Pokes Voter Registration, would (1) reestablish same-day voter registration, including on election day, and (2) allow a person who is at least 16 years of age but will not be 18 years of age by the date of the next election and who is otherwise qualified to register may preregister to vote and be automatically registered upon reaching the age of eligibility following verification of the person's qualifications and address. **Introduced by Representatives Meyer and Dahle and referred to the House Committee on Election Law and Campaign Finance Reform.**

HOUSE BILL 840, Intercept Communications/All Party Consent, would expand the statute that makes it a Class H felony to intercept and use or disclose any wire, oral, or electronic communication without the consent of at least one party to the communication to now require the prior consent of all parties to the communication. **Introduced by Representative Moffitt and referred to the House Rules Committee.**

HOUSE BILL 848, Study Duplicative/Obsolete Criminal Statutes, would establish an eight-member Joint Legislative Criminal Laws Study Committee to review North Carolina's criminal laws to determine: (1) which are duplicative and therefore should be repealed; and (2) whether

certain lower level offenses, such as traffic offenses, regulatory offenses, and low-level Schedule IV controlled substance offenses, should be reclassified or decriminalized. The Committee would submit a final report, including findings and legislative recommendations, to the Joint Legislative Committee on Justice and Public Safety and the Joint Legislative Committee on Health and Human Services no later than April 1, 2022. **Introduced by Representatives John, Everitt, Brown, and Martin and referred to the House Judiciary 2 Committee.**

HOUSE BILL 849, End Predatory Pet Leasing, would make it a Class 2 misdemeanor and an unfair and deceptive trade practice for a person to lease, offer to lease, sell, or offer to sell any living cat or dog for personal, family, or household use if the lease, offer to lease, sale, or offer to sell includes or is subject to any provision authorizing the use of the living cat or dog as security where the living cat or dog may be repossessed by the seller or lender contingent on the purchaser making payments. A person could purchase a living cat or dog through an unsecured personal loan. **Introduced by Representatives Harris and Faircloth and referred to the House Agriculture Committee. Sorry but I had to include this – stranger than fiction bill!**

HOUSE BILL 856, GA - Defend Challenge to Laws and Rules, would make the General Assembly a necessary party to any challenge to the validity or constitutionality of any North Carolina law or administrative rule. **Introduced by Representative C. Smith and referred to the House State Government Committee.**

HOUSE BILL 857, Letters of Character Ref. and LEC/SEC Study, would: (1) clarify when a covered person may use the public position with respect to letters of character reference for individuals seeking unpaid work and for individuals being nominated for public service awards from the State; and (2) direct the Legislative Ethics Committee to study the ethical standards for legislators and the powers, duties, and functions of the Committee to examine if revisions are necessary to provide more effective advice to legislators and enhance the trust of the public. **Introduced by Representatives Harrison, Mills, and Faircloth and referred to the House Rules Committee.**

HOUSE BILL 861, Back-to-Work Integrity Act, would amend provisions regarding unemployment compensation benefits to: (1) require an employer to report when an unemployment benefits claimant declines an offer of employment during the work search requirement to the Division of Employment Security; (2) direct the Division to develop procedures by which employers can report when claimants decline an offer of employment; (3) require the Division to conduct an ongoing review of enforcement and the administrative steps appropriate to disqualify claimants who decline employment from receiving unemployment benefits; and (4) require the Division to report to the Joint Legislative Commission on Unemployment Insurance on compliance with provisions of this act on a quarterly basis beginning September 1, 2021. **Introduced by Representatives Johnson, Moffitt, Zenger, and Pless and referred to the House Finance Committee.**

HOUSE BILL 867, Uniform Worker Classification Act, would enact the Uniform Worker Classification Act to bring clarity, certainty, and uniformity under the laws of this State with regard to differentiating employees from independent contractors in employment and by imposing objective and uniform standards for making that distinction. The bill would provide that all laws where the application thereof is contingent upon the classification of a worker as being an employee are superseded to the extent necessary, by this Article, including, but not limited to,

reviewing or determining employee classification for the purposes of workers' compensation, unemployment compensation, employee wages and hours, taxation, or other purposes under the General Statutes. A person would be classified as an independent contractor if any of the following are met:

- the person signs a written contract with the principal stating the principal's intent to retain the person's services as an independent contractor and contains acknowledgements that the person understands that the person is providing services for the principal as an independent contractor, not going to be treated as an employee of the principal, not going to be provided by the principal with either worker's compensation or unemployment compensation benefits, is obligated to pay all applicable taxes, is responsible for the majority of supplies and other variable expenses that the person incurs in connection with performing the contracted-for services unless the expenses are for travel that is not local, the expenses are reimbursed under an express provision of the contract, or the supplies or expenses reimbursed are commonly reimbursed under industry practice;
- the person has either filed, intends to file, or is contractually required to file an income tax return for a business or for earnings from self-employment;
- the person provides services through a business entity or through a registered sole proprietorship;
- with the exception of the exercise of control by the party that engages the worker necessary to ensure the worker's compliance with obligations required by a governmental or regulatory entity, or to protect persons or property, or to protect a franchise brand, the worker has the right to control the manner and means by which the work is done even though he or she may not have control over the final result of the work; and
- the person satisfies three or more of nine specified criteria, including the person controls where the services are performed except for those that can only be performed at specific locations, the person is free to exercise independent initiative in soliciting others to purchase his or her services, the person cannot be required to perform additional services without a new or modified contract, or the person is responsible for maintaining and bearing the costs of any required business licenses, insurance, certifications, or permits required to perform the services.

Workers who do not meet the above conditions would be classified as employees; however, a party could classify a worker who meets the criteria above as an independent contractor. The bill would prohibit a city, county, municipality, unincorporated community, township, special district, airport authority, port authority, or other local political subdivision of the State from adopting any law, ordinance, regulation, code, charter, regulation, or other guidance in conflict with these new provisions. **Introduced by Representatives Saine, Moffitt, and McNeely and referred to the House Commerce Committee.**

HOUSE BILL 872, Review of Federal Acts/Rules/Regulations, would:

- allow the General Assembly to review or direct the Attorney General to conduct a review of any federal action to determine the constitutionality of the federal action and whether the State should seek an exemption from the application of the federal action or seek to have the federal action declared unconstitutional;
- allow the General Assembly, if it determines a federal action is unconstitutional, to direct the Attorney General to pursue a legal challenge to declare the federal action unconstitutional, and, if the Attorney General declines to seek to have a federal action declared unconstitutional, to declare the federal action to be unconstitutional;

- prohibit the State, any political subdivision of the State, and any organization that receives State funds from implementing any federal action that restricts a person's rights; and
- prohibit the State, any political subdivision of the State, and any organization that receives State funds from implementing any federal action that either the General Assembly or the Attorney General have determined to be unconstitutional and which relates to any of the following: (1) a pandemic or other health emergency; (2) the regulation of natural resources, including oil and natural gas; (3) the regulation of the agricultural industry; (4) the use of land and wetlands and water; (5) the regulation of the financial sector as it relates to environmental, social, or governance standard; (6) the regulation of the constitutional right to keep and bear arms; or (7) the regulation of education.

Introduced by Representative Kidwell and referred to the House Rules Committee.

HOUSE BILL 875, Enact KinCare and Safe Days, would require an employer who provides compensated or uncompensated job protected sick leave for employees to allow an employee to use, in any calendar year, the employee's accrued and available sick leave to attend to the care of a family member for no more than five consecutive days. All conditions and restrictions placed by the employer on the use by an employee of sick leave also would apply to the use by an employee of sick leave to attend to the care of a family member. The bill would clarify that that this section does not extend the maximum period of leave employees are entitled to under the federal Family and Medical Leave Act and would prohibit employers from discriminating or retaliating against employees for filing a claim or complaint, instituting an investigation or other action, or testifying or providing information to any person relating to this use of sick leave to care for a family member. **Introduced by Representatives Clemmons, Cunningham, Adcock, and Alston and referred to the House Rules Committee.**

HOUSE BILL 884, Establish NC Institute for Public Policy, would establish the North Carolina Institute for Public Policy (NCIPP), which would be housed administratively in the School of Public and International Affairs at North Carolina State University, establish the North Carolina Commission on Public Policy to oversee and direct the work of NCIPP, and provide funding to the UNC Board of Governors for staff and operating expenses of the NCIPP and the Commission. The NCIPP would:

- conduct and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the State;
- evaluate the merits of a program or an activity of a State agency or a program or an activity of a non-State entity conducted or provided using State funds;
- develop quantitative indicators to be used in an evaluation of a program or an activity of a State agency or a program or an activity of a non-State entity conducted or provided using State funds;
- determine the cost of programs or activities of a State agency or programs or 30 activities of a non-State entity conducted or provided using State funds; and
- develop a two-year work plan at the beginning of every odd-numbered year which would consist of any studies directed by the General Assembly, as well as other issues of public interest recommended by the Commission, and, upon completion of each study, report its findings and any recommendations, including proposed legislation, to the Commission, the Governor, and the General Assembly.

Introduced by Representatives Everitt, R. Smith, and Gailliard and referred to the House Rules Committee.

HOUSE BILL 891, Up Minimum Wages/No Subminimum or Exemptions, is identical to Senate Bill 673, summarized in the April 23, 2021, Legislative Report. **Introduced by Representatives Hawkins, Everitt, and K. Smith and referred to the House Rules Committee.**

BILL UPDATES

HOUSE BILL 291, Commercial Prop. Plan Rev./DOI Oversight, was amended in the House Committee on Local Government - Land Use, Planning and Development to:

- require the Commissioner of Insurance, through the Division of Engineering, to promote consistent application of the NC Building Code through the general oversight of all inspection departments;
- require the Commissioner to: (1) establish a consistent Building Code permit application process for all local inspection departments; (2) develop a mechanism to determine the consistent application of the Building Code; (3) establish a new educational program and certification for permit technicians; (4) establish a Building Code Awareness educational program for the general public and county and city officials; (5) develop an insurance credit program for buildings and structures certified as built above the minimum Building Code requirements to increase insurability; and (6) develop annual mandatory two-hour code education programs for plan reviewers; and
- require local inspection departments to annually remit 2% of all Building Code permit fees to the Department of Insurance to support Building Code consistency and associated programs.

The bill as amended was approved by the House Committee on Local Government - Land Use, Planning and Development and the House Rules Committee. The bill will next be considered by the full House.

HOUSE BILL 560, Public Safety Reform, was amended on the House floor to eliminate the proposed changes that would have allowed employees of a State agency or institution to perform work involving installation, construction, maintenance, or repair of buildings, wiring, piping, devices, appliances, or equipment located in or constituting improvements located on State-owned land without the requirement of licensure for contractors if the work is performed by an employee who is employed by the State agency or institution and either the work is valued at less than \$100,000 or all work is performed as force-account work otherwise authorized by law up to the value authorized; **maintains current law requiring all three criteria to be met**. **The bill as amended was approved by the House and will next be considered by the Senate Rules Committee.**

HOUSE BILL 572, No Vaccine Mandate by EO, Rule, or Agency. The provisions of this bill were removed in the House Health Committee and replaced with a new bill that would:

- prohibit the Governor from requiring or mandating that any person receive a vaccination by operation of executive order;
- grant civil and criminal immunity to any person who refuses to receive a vaccination under the statute;
- limit the revisions of the NC Emergency Operations Plan concerning immunization procedures;

- prohibit State agencies from adopting a rule that imposes a mandate or requirement resulting in disciplinary action for a person who receives a vaccination as a condition of the receipt, renewal, or reinstatements of a license by an agency; and
- prohibit public health authorities, including the Secretary of the Department of Health and Human Services (DHHS), the State Health Director, the Commission for Public Health, and local health directors from issuing an order requiring any individual to submit to COVID-19 vaccination or series of vaccinations.

The bill as amended was approved by the House Health Committee and the House Rules Committee. The bill will next be considered by the full House.

SENATE BILL 329, Building Code Modifications, was amended on the Senate floor to prohibit the State Building Code or any local variance from requiring a permit for any construction, installation, repair, replacement, or alteration performed pursuant to the current edition of the Code and the North Carolina Fire Prevent Code (was, Building Code only) and costing \$20,000 or less in any commercial building or structure, unless the work meets the specified criteria. The bill also would add the criteria to be met for the prohibition on requiring that plans and specifications for any alteration, remodeling, renovation, or repair of a commercial building or structure be prepared by and under the seal of a registered architect or registered engineer if the costs are less than \$300,000 or if the total building area does not exceed 3,000 square feet in gross floor area by requiring that the alteration, remodeling, renovation, or repair be performed in accordance with the current edition of the North Carolina Fire Prevention Code. **The bill as amended was approved by the Senate and has been sent to the House for consideration.**

SENATE BILL 355, Government Transparency Act of 2021, was amended in the Senate Judiciary Committee to further amend the requirements for State personnel recordkeeping by each State department, agency, institution, commission and bureau to specify that the statute does not authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Americans with Disabilities Act of 1990 (ADA), or other applicable law. The bill would provide that, if the reason for an employee's promotion, demotion, dismissal, transfer, suspension, separation, or other change in position classification is prohibited from disclosure by an applicable law, the general description to be provided must be listed as "description of action prohibited by applicable law." The bill also would prohibit the date and general description for each promotion, dismissal, transfer, suspension, separation, or other change in position classification from being disclosed before the employee has exhausted all administrative appeals that the employee is entitled to pursue under applicable law; however, once the employee has exhausted all administrative appeals, this information would have to be disclosed within 30 days of any final decision. The bill would make identical additions to the personnel recordkeeping requirements by local boards of education, community colleges, LME/MCOs, local governments, water and sewer authorities, and hospitals. **The bill as amended was approved by the Senate Judiciary and Rules Committees and will next be heard by the full Senate.**

SENATE BILL 450, Carbon Monoxide Detectors/School Bldgs, was amended in the Senate Education/Higher Education Committee to require the adoption of rules applicable to all public school units that require existing school buildings to be equipped with carbon monoxide alarm and detection systems in accordance with the requirements for new buildings (was, have adequate carbon monoxide alarms and new school buildings placed into service on or after July 1, 2025, must have adequate carbon monoxide detectors). The bill also would require the installation of

carbon monoxide alarm and detection systems to be permitted, installed, and inspected as required by the Building Code, and would prohibit requiring an existing school building to be equipped with a carbon monoxide alarm and detection system if the system would not be required for a new building under the building code. **The bill as amended was approved by the Senate Education/Higher Education and Rules Committees and will next be heard by the full Senate.**

- Colleen Kochanek
NCSLVA Legislative Counsel
P.O. Box 1038
Wake Forest, NC 27588
919.809.5601
colleen@kochaneklawgroup.com
www.kochaneklawgroup.comⁱ

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