

FEBRUARY 10, 2023

- Action at the General Assembly picked up this week with more legislative committees meeting and dozens of bill filings. A much-anticipated bill expanding Medicaid was filed in the House. [House Bill 76, Access to Healthcare Options](#), broadens the category of individuals eligible for Medicaid and requires the Department of Health and Human Services and county departments of social services to accept applications for newly eligible residents "as soon as practicable but no later than December 1, 2023." The legislation excludes certificate of need reform, which is likely to be a sticking point with Senate leadership. If the bill becomes law, the state would receive a \$1.5 billion signing bonus from the federal government.
- To support counties with the administrative burden and additional workload costs of expansion, the bill directs the following funds to counties:
 - o \$4 million to county social services departments to prepare to implement the expanded Medicaid program (Section 1.5.(a)) and;
- \$20 million in FY 2023-24; \$29.6 million in FY 2024-25; and \$31.2 million in FY 2025-26. In subsequent years, the annual amount will be increased using the Consumer Price Index. (Section 1.6(b))

The bill is scheduled to be heard in the House Finance committee next Tuesday at 2:00 p.m.

Both the House and Senate held floor sessions to approve bills, including two contentious pieces of legislation, [Senate Bill 49 Parents' Bill of Rights](#) and [House Bill 40 Prevent Rioting and Civil Disorder](#), both of which saw substantial action during the 2021-22 legislative biennium. The Senate approved the [Senate Bill 49](#) along party lines. The legislation enumerates various rights of parents to direct the upbringing, education, health care, and mental health of their children, and prohibits instruction on gender identify, sexual activity, or sexuality in grades kindergarten through fourth grade and requires parental notification of any change to a student's preferred pronouns or name change. The bill now heads to the House for further consideration. The House approved [House Bill 40 Prevent Rioting and Civil Disorder](#) this week. The bill increases penalties associated with rioting offenses, including those related to assault, injury, or death of an emergency personnel during a riot or state of emergency. The bill now heads to the Senate for further consideration. Similar legislation was approved by the House and Senate during the last legislative biennium before receiving a veto by Governor Cooper.

Additionally, lawmakers informally commenced the budget process this week with appropriations subcommittees meeting to receive presentations on the budget process as well a review of recent budget appropriations relevant to the appropriations subcommittees policy areas. The state's joint revenue forecast is due next week, and the budget season is set to begin in earnest next month when it is expected Governor Cooper will release his proposed budget.



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See below for more information on filed bills and legislation seeing action this week of interest to counties.

Other Bills of Note

Legislation of interest to counties seeing action this week include:

[House Bill 28 NC Managing Environmental Waste Act of 2023](#) – Changes the quarterly distribution of the Solid Waste Disposal Tax by adding a new distribution to cities and counties that provide plastics recycling services within their jurisdictions. The new distribution would total 5% of the tax's net proceeds, with half (2.5%) being distributed among eligible counties on a per capita basis and the remaining half (2.5%) distributed among eligible cities on a per capita basis. The bill adds a new annual reporting requirement for all state agencies, community colleges, and local administrative units to report the amounts and types of materials and supplies with recycled content that were purchased during the previous fiscal year. The bill gained approval in the House Environment committee this week and was sent to the House Regulatory Reform committee for further consideration.

[House Bill 56 Safe Firearm Storage/Tax Exemption and Credit](#) – Provides temporary sales tax exemption for equipment designed to prevent unauthorized access to firearms. This exemption expires July 1, 2024. The bill also provides a tax credit to persons buying this equipment. That credit expires for the tax year starting on January 1, 2025. The bill was filed this week and gained approval in the House Judiciary committee. The bill now heads to the House Finance committee for further consideration.

[Senate Bill 20 Safe Surrender Infants/Safe Sleep Prog. Funds](#) – Revises law regarding the safe surrender of infants who may be physically abandoned or harmed by a parent. The bill sets forth duties, immunity, confidentiality, and notice related to a safely surrendered infant to those who the infant is surrendered to, including a department of social services office. Having previously gained approval in the Senate Health Care committee, the bill gained approval in the Senate Judiciary committee before going on to gain full Senate approval this week. The bill now heads to the House for further consideration.

Legislation filed this week of interest to counties include:

[House Bill 54 Make North Carolina Home Act of 2023](#) – Directs the Department of Commerce to establish a website to track all local planning, zoning, and land-use regulations for economic development purposes. The bill also directs the Department of Commerce to develop and establish a program to partner with counties on residential site



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selection in the state and to establish measurable goals to fulfill housing needs in growing areas by the year 2033.

[House Bill 62 An Act to do School Calendars Better](#) – Provides local boards of education with complete flexibility in adopting school calendars.

[Senate Bill 69 Educate Patients About Opioid Antagonists](#) – Requires health care practitioners and pharmacists to educate patients with prescriptions for opioid pain medications and medications to treat opioid use disorder about the potential dangers of opioids, overdose prevention, and the availability and use of opioid antagonists to prevent overdose deaths.

[House Bill 86 School Calendar Flex/Statewide](#) - Provides that a local board of education may set a school opening date for students as early as August 10. Current law provides opening dates for students to be no earlier than the Monday closest to August 26.

[Senate Bill 83 No Tik Tok on Government Devices](#) – Prohibits the downloading or use of TikTok on state or local political subdivision devices. Additionally, prohibits any person contracting with the state or local political subdivision from downloading or using TikTok during participation in a program funded wholly or in part by state, federal, or local funds. Directs state agencies and local political subdivisions to restrict access to TikTok on government issued devices and information technology.

[Senate Bill 88 Election Day Integrity Act](#) – Amends the date why which mail-in absentee ballots must be received by the county board of elections in order to be counted. The bill also requires counties to publish on their website and on any materials sent to voters the date by which absentee ballots are available for voting and the date on which a absentee ballot request must be received by the county board of elections. Further, the bill directs the county board of elections to report the following information to the State Board of Elections during each day of the one-stop early voting period:

- The number of absentee ballots that have been spoiled due to the voter voting in person at a one-stop voting site.
- The number of outstanding absentee ballots.

The bill requires each county board of elections to report the following for the State Board of Elections by 5:00 p.m. each day from the day after the election through the day after the receipt deadline for absentee ballots:

- The number of absentee ballots that have been counted
- The number of outstanding absentee ballots
- The number of voted provisional ballots

[Senate Bill 89 Prohibit Private Money in Elections Admin](#) – Prohibits county board of elections from accepting private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis.



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Senate Bill 92 Expand Circuit Breaker Property Tax Benefit – Modifies the property tax homestead circuit breaker benefit by removing the requirement for eligibility that the owner be at least 65 years old or totally and permanently disabled. Allows for subsequent owners to keep the benefit in certain circumstances.