



NCACC Weekly Update

Legislative Brief

MARCH 24, 2023

Notable Activity

[House Bill 76 Access to Healthcare Options](#), which would expand Medicaid in North Carolina, is one step closer to becoming law. The House voted to concur on the Senate version of the bill, and it now heads to Governor Cooper for his signature. Expansion is still contingent on the passage of the state budget.

NCACC expects the House to release its two-year budget next week and approve it by the first week in April, indicating the General Assembly is on track to complete its budget process by the start of the fiscal year, July 1. General Assembly leaders have already agreed to a spending plan which includes a 6.5% increase in spending to \$29.7 billion in year one and an additional 3.75% increase to \$30.8 billion in year two.

Legislation to Know

[House Bill 205 Transparency Governance & Integrity Act](#) – Makes changes to the open meetings laws related to the Council of State. Section 12 of the legislation contains the same provisions as House Bill 273, as previously reported. NCACC opposed these provisions and expects them to be removed when the bill has its next hearing in the House Finance Committee.

The legislation also:

1. Encourages financial management education for members of municipal and county governing boards and requires financial management education for members of these boards if the Local Government Commission (LGC) has assumed control of the unit's financial management or if the unit is on the most recently published unit assistance list.
2. Prohibits the LGC from disclosing personal identifiable information of individuals who have reported "improper governmental activity"
3. Designates the capital reserve funds serve as capital reserve accounts and may only be amended by resolution.
4. Provides that a local government or public authority by resolution, may establish by and maintain a fund balance reserve account in the general fund or in any public enterprise fund for the purpose of maintaining appropriate cash reserves and an adequate fund balance and limits the appropriations to the fund balance reserve account to no more than 5% of the total of all other appropriations for the same fund for which the fund balance reserve account has been established.
5. Limits the security pledged by a county or municipality for a USDA loan to only that collateral being financed by that county or municipality and prohibits the prohibit a county or municipality from pledging a security interest for repayment of, or be liable for, loans entered into by any other county or municipality.



North Carolina
Association of
County Commissioners

NCACC Weekly Update

Legislative Brief

[House Bill 332 – Streamline Comm./Multifam.Bldg.Plan Review](#) - Requires local governments to perform initial plan reviews and issue building permit decisions for commercial and multifamily building plans submitted within 21 days, or within 15 days from the receipt of additional requested information or a resubmitted plan. Provides third-party plan review alternatives. Upon issuance of applicable permits, releases the local government and inspection department from any liabilities, duties, and responsibilities imposed by statute, or in common law, from any claim arising out of, or attributed to, plans reviewed by third parties. The bill gained approval in the House Local Government – Land Use, Planning, and Development committee and now heads to the House Finance committee for further consideration.

[House Bill 428 Volunteer Firefighters Property Tax Exclusion](#) – Expands property tax homestead exclusion relief to volunteer firefighters. Provides a hold harmless provision requiring county reimbursement by the state for the property excluded from taxation. The bill was filed this week.

Other Legislation of Interest to Counties:

[House Bill 98 Medical Freedom Act](#) – Prohibits local governments from discriminating against persons based on their refusal to provide proof of a COVID-19 vaccination or to submit to a COVID-19 vaccination. The bill also prohibits public schools, local public health agencies, local public health officials, and local governments from requiring any person to provide proof of or submit to a COVID-19 vaccination. The bill gained approval in the House Committee on Health this week and now heads to the House Judiciary 1 committee for further consideration.

[House Bill 139 U.S. & N.C. Flags/Made in USA](#) – Prohibits counties from using public funds to purchase United States or State of North Carolina flags which have not been 100% manufactured in the United States from articles, materials, or supplies that have been grown or manufactured in the United States. Does not apply if flag purchase would result in sacrifice or loss in price or quality. The bill gained approval in the House Committee on State Government this week and could be considered on the House floor early next week.

[House Bill 252 Multijurisdictional Property](#) - Amends the laws pertaining to when a parcel of land lies within the planning and development regulation jurisdiction of more than one local government. Among other things, the legislation provides that if the local governments are unable to come to a mutual agreement as to which jurisdiction's regulations apply, the landowner may designate which local government's planning and development regulations apply to the land. The bill gained approval in the House Local Government – Land Use, Planning, and Development committee and could be considered on the House floor next week.



North Carolina
Association of
County Commissioners

NCACC Weekly Update

Legislative Brief

[House Bill 255 Regulate EV Charging Stations](#) – Regulates electric vehicle charging stations and sets in to place penalties for violation. Authorizes municipalities to, by ordinance, prohibit additional prohibited conduct related to charging stations and have higher penalties than those set out by the state. The bill gained approval in the House Transportation committee this week and could be considered on the House floor next week.

[House Bill 282 Trade Schools Study](#) – Directs certain state agencies and departments to provide the Fiscal Research Division of the General Assembly with information regarding trades workforce and future training. The bill gained House approval this week and now heads to the Senate for further consideration.

[House Bill 287 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. This bill gained approval in the House Committee on Health this week and could be considered on the House floor next week.

[House Bill 320 Create Bldg. Code Permit Tech. Cert.](#) - Creates a State Building Code Permit Technician certification. The bill gained approval in the House Local Government – Land Use, Planning, and Development committee and now heads to the House Finance committee for further consideration.

[House Bill 414 Broadband Speed Standardization](#) – Conforms the state public utility standard for broadband speed to the Federal Communications Commission's broadband speed benchmark. The bill was filed this week.

[House Bill 455 Expedite Water/Wastewater Franchise Transfer](#) - Expedites the transfer, merger, or consolidation of water or wastewater public utilities by setting shot clock windows with the Utilities Commission. The bill was filed this week.

[House Bill 445 Closed Session Reminder](#) – Requires the presiding chair of a public body, upon motion to enter into closed session and while in the open session of the open meeting, to inform the public body that all discussion during the closed session is limited to a permissible topic for closed session. Requires the presiding chair, upon returning to open session, to certify that all discussion during the closed session was limited to the permissible purpose in the motion made to go in to closed session. The certification must be written and signed by the presiding chair for inclusion in the open session minutes but must not reveal any details of the closed session. The bill was filed this week.

[House 458 Eminent Domain](#) – Puts forth a ballot measure to amend the North Carolina Constitution to prohibit condemnation of private property except for a public use and to provide for just compensation with the right of trial by a jury in condemnation cases.

[House Bill 466 Allow Temporary Dwellings During Construction](#) – Establishes criteria to allow for temporary dwellings on residential property for the duration of the construction of a permanent residential dwelling. The bill was filed this week.



North Carolina
Association of
County Commissioners

NCACC Weekly Update

Legislative Brief

[House Bill 474 Facilitate Small Housing](#) – Requires local governments to allow for “small housing,” as defined in the bill, in areas zoned for residential or mixed-use residential, including those that allow for the development of detached single-family homes. The bill was filed this week.

[House Bill 478 Support Students with Disabilities Act](#) – Establishes a program for local school districts to apply to the Department of Public Instruction for ongoing extraordinary costs of children with disabilities. The bill was filed this week.

[House Bill 475 Revise Certain Ballot & 48- Hour Report Reqs.](#) – Among other things, requires party designations in partisan ballot items by printed in bold and in a font no less than 12-point in size. The bill was filed this week.

[Senate Bill 83 No High Risk Apps/Gov't Networks & Devices](#) – Prohibits the downloading or use of TikTok and other named apps/websites on state or local political subdivision devices. Additionally, prohibits any person contracting with the state or local political subdivision from downloading or using TikTok and named apps/websites 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 and other named apps/websites on government issued devices and information technology. The bill passed the Senate this week and now heads to the House for further consideration.

[Senate Bill 340 Expand Prob. Officer/Sheriff Authority](#) – Among other things, exempts sheriff's offices from certain state contracting requirements when contracting for food services at detention facilities. The bill was filed this week.

[Senate Bill 349 Whiz Kids/Slow Pokes Voter Registration](#) – Establishes same-day registration for early one-stop voting and election day voting. Also establishes program to preregister 16- and 17-year-olds to vote. The bill was filed this week.

[Senate Bill 351 Statewide Year-Round School Study](#) – Directs the Department of Public Instruction to study the feasibility and potential outcomes of a statewide year-round school calendar. The bill was filed this week.

[Senate Bill 353 Remove Foreign Citizens from Voting Rolls](#) – Provides for process for State and local boards of elections to remove non-United States citizens from voting rolls. The bill was filed this week.

[Senate Bill 365 Development Regulations/Multijurisdiction](#) – Provides that if a parcel of land lies within the planning and development regulation jurisdiction of more than one local government, and no mutual agreement exists between the local governments and the landowner as to whose regulations control, the decision as to which jurisdiction's planning and regulation control is made by the developer. The bill was filed this week.

NCACC maintains Quick Response Teams (QRTs) to seek advice and input on legislation impacting counties. QRT members are county subject matter experts who are willing to answer questions and provide insights on short notice. To sign up as a member of a QRT, visit www.ncacc.org/qrt.