



**CITY MANAGER'S OFFICE  
M E M O R A N D U M**

April 26, 2013

**TO:** Ron Carlee, City Manager  
Ron Kimble, Deputy City Manager

**FROM:** Dana Fenton, Intergovernmental Relations Manager

**SUBJECT:** **Week 13 State Legislative Report**

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**HOT TOPICS**

**Transportation Reform:** Legislation could be filed in coming week; Governor announced major change in allocating transportation funding to the various regions of the State; faced with a \$1.7 billion decrease in transportation funding over the next ten years and an expected 1.3 million increase in population, the intent of the “Strategic Mobility Formula” is to redirect existing transportation revenues to projects that produce the most economic benefits and improvements in travel times; all modes of transportation will compete for funding from the same pool; 40% of the funds will go to statewide projects, 40% to regional projects and 20% to local projects; several members of both chambers have been selected as bill sponsors including Rep. Brawley; legislation is not available for review at this time but the changes would be implemented immediately; Powell Bill funding to local governments for local street maintenance will be “held harmless” and staff understands that the State commitment of \$25 million per year to the Blue Line Extension would still be honored by the State

**Charlotte Regional Airport Authority Act (SB 81 – Rucho / HB 104 – Brawley)** Legislation transfers control of the Charlotte Douglas International Airport from the City of Charlotte to an independent Authority composed of 13 members; Charlotte City Council, Charlotte Mayor, County Commissions of Mecklenburg, Gaston, Cabarrus, Lincoln, Iredell and Union, Speaker of the House, Senate President Pro Tem, and Governor would each get one appointee; final two appointees would be picked by Authority members; in Senate Finance, committee added power for the Authority to exercise eminent domain for public uses at the Airport but only after being authorized by a majority of the eight local government appointee members of the Authority; SB 81 goes on to state that the power of eminent domain may not be used by the Authority to acquire land for uses such as hotels, motels, restaurants, or industrial parks; HB 104 referred to House Transportation; SB 81 passed Senate and has been sent to the House; SB 81 has been referred to House Transportation and if reported favorably to House Finance; HB 104 was

discussed among committee members in House Transportation on Tuesday 4/2 but the bill will not move until the final Airport Governance Study report is released

**Mecklenburg Revaluation (HB 200 – W. Brawley / SB 159 – Tarte)** Legislation requested by Mecklenburg County to correct issues related to the recent countywide revaluation; HB 200 referred to House Government; SB 159 passed Senate and referred to House Government; HB 200 was heard on 4/4 in House Government where a committee substitute was reported favorably, reported favorably out of House Regulatory Reform and now resides in House Finance

## STATE BUDGET

**Governor’s Budget Proposal:** Governor McCrory announced his budget proposals on Wednesday, March 25; FY 2014 and FY 2015 funding in the amount of \$25 million each year for the Blue Line Extension appears on pages 19 and 300 of the [Recommended Continuation Budget for the Department of Transportation](#), which is consistent with the budget agreement made in 2012 between the NC House and Senate

### **Budget Timeline:**

**Now through late April** – Subcommittees of House and Senate Appropriations’ Committees continue meeting, and receiving reports from State agencies

**Early May** – Senate Appropriation subcommittees make recommendations to Senate Appropriations Committee

**May 7** – Senate Appropriations Committee reports out proposed budget to full Senate

**May 9** – Senate passes budget proposal

**May 30** – House considers Senate proposal and passes its budget proposal, which would commence budget conference process

**June 13** – House and Senate agree upon budget conference report

**Late June** – If the General Assembly is still in session, Governor must sign or veto budget within 10 days after being presented with the bill or it becomes law

## LEGISLATIVE AGENDA

**Film Production Tax Credit:** While action to achieve the City’s objective to repeal the sunset date of the film production tax credit has not taken place, legislation to fundamentally alter the film production tax credit program was introduced that does not further economic development in our region; [HB 994 \(Luebke\)](#) would make the credit “nonrefundable” which means companies would be allowed to waive an equal amount of tax liability over five years — but that would help only those companies based in North Carolina; out-of-state production companies would not benefit; referred to House Rules; [City opposes HB 994](#)

**Long Term Investment Program (SB 276 – Clodfelter)** is local charter bill amending City’s long term investment authority to enable use of “prudent investor” rule; [referred to Senate State and Local Government](#)

**Public Transportation Buses (SB 301 – Graham / HB 375 – Jeter)** SB 301 is a statewide bill increasing maximum allowable length of public transportation buses from 45 to 60 feet, thus allowing use of higher capacity articulated buses; SB 301 referred to Senate Transportation; HB 375 is a local bill allowing buses owned and operated by the City of Charlotte to be up to 60 feet but be operated primarily on roadways with speed limits over 45 miles per hour; HB 375 reported out of House Transportation on 4/9, passed House on 4/10, and referred to Senate Transportation

**Infrastructure Improvements (SB 104 – Hartsell)** eliminates the July 1, 2013 sunset date of the Special Assessments for Critical Infrastructure Needs Act of 2008; SB 104 is consistent with City and MTC legislative agendas that requested extension of sunset date to allow for continued examination of Red Line Regional Rail project and not lose one of the potential sources of funding for the project; referred to Senate Finance

**Transportation Project Financing (SB 322 – Clodfelter)** allows local government to use special obligation bond financing for public transportation projects, thereby facilitating local participation in the federal Transportation Infrastructure Financing and Innovation Act (TIFIA) program; loans are available from the federal government through the TIFIA program for public transportation projects at costs that are competitive with other forms of financing; referred to Senate Finance

**Civil Service Board (SB 299 – Graham)** is charter bill increasing membership of Charlotte Civil Service Board from 7 to 9 members; referred to Senate State and Local Government

## DEVELOPING ISSUES

**Tax Reform:** Several initiatives have been introduced but none of which have moved out of Committee; legislation affecting towns and cities have

SB 363 (Brock) reduces or eliminates several business taxes including the locally imposed business privilege license tax; SB 394 (Clodfelter) modifies a wide range of taxes including business taxes, personal income taxes, corporate income taxes, including elimination of the locally imposed business privilege license tax, and is structured to be revenue neutral in the aggregate for both the State and local governments; SB 669 (Rucho) reduces personal income tax rates; SB 677 (Rucho) reduces corporate income tax rates to 6%; HB 642 (Conrad) reduces corporate income tax rate to 4.9%; HB 985 (Blust) reduces individual and corporate income tax rates, replaces the franchise tax with a lower business privilege license tax, reduces the state sales tax all bills have been referred to their chambers' respective finance committees with the exception of HB 985 which has been referred to House Rules

**Extraterritorial Jurisdictional Powers (ETJ):** Several bills have been introduced that would impact the ETJ powers of towns and cities, including HB 70 (Pittman) calling for constitutional amendment repealing existing extraterritorial jurisdictional (ETJ) powers of all towns and cities; HB 264 (Pittman), the "Justice for Rural Citizens Act" repealing authority of cities and towns to

exercise ETJ powers in adjacent unincorporated areas due to inability of ETJ residents to vote in municipal elections; and [HB 608 \(Pittman\)](#) limiting exercise of ETJ powers to those towns and cities that started exercising such powers prior to June 1, 2013; HB 608 would have no impact upon the existing ETJ powers of the City of Charlotte

### **Public-Private Partnerships:**

[HB 857 \(Arp\)](#) is a statewide bill sought by the League of Municipalities and Association of County Commissioners to enable design-build for all localities throughout the State, and which does not impact the current powers of the City of Charlotte that have been secured through the years; HB 857 referred to House Government; [HB 887 \(Moffitt\)](#) allows local governments to enter into public-private agreements for the development and operation of public facilities by private entities; HB 887 referred to House Commerce

### **Local Government Authority:**

Property Owners Protection Act (HB 632 – Moffitt) awards attorney fees to successful plaintiffs in land use cases against City, County and State government; referred to House Judiciary Subcommittee B; City opposes HB 632

Zoning/Design & Aesthetic Controls (HB 150 – Dollar / SB 139 – Clodfelter) restricts use of design standards by counties and cities for any residential dwelling subject to the NC Residential Code for One and Two Family Dwellings; several exceptions are granted for dwellings located in historic districts and national registers of historical places, local, State or federal national historical landmarks, manufactured or modular housing, life safety codes, and national flood insurance program areas; SB 139 referred to Senate Commerce; HB 150 passed House and referred to Senate Rules; HB 150 reported out of Senate Rules but was re-referred back to Committee from the floor; City opposes HB 150 and SB 139

Regulatory Reform Act of 2013 (SB 612 – Brown) states that local government ordinances or regulations that regulate fields also regulated by the State or federal government and are more stringent than State or federal government standards are inconsistent with State or federal law, which would invalidate many of the City's environmental regulations covering erosion control, post construction controls, stream buffer protections, nutrient controls, and stormwater detention; referred to Senate Commerce where a substitute version was reported out on 4/25; City opposes SB 612 in its introduced form

Local Government Regulatory Reform (HB 677 – Brawley) prohibits local governments from implementing dues check off programs for union members in the local government workforce; referred to House Regulatory Reform; this bill would negate recent action taken by Charlotte City Council to enact dues check off program; City opposes HB 677

Rental Property Ordinances (HB 773 – Brawley) repeals several portions of legislation passed in 2011 that became basis for 2012 changes to Charlotte rental property ordinance; bill prohibits mandatory registration of all rental properties which makes it nearly impossible to notify property owners and landlords of crimes committed on their properties; bill prohibits charging a

misdemeanor for non-compliance - levying of misdemeanor charges is only done by CMPD for the most flagrant violators, which triggers the judiciary to adjudicate the end result and affords due process to both the City and the owner or manager of the property; referred to House Government Committee; there are at least ten other towns and cities that have rental program impacted by this bill; substitute version reported out of House Government on 4/25 but the sponsor has agreed to work with local governments on potential amendments before it is heard on the floor of the House; City opposes HB 773 in the form it came out of committee on 4/25

### **Local Government Ethics:**

MPO Ethics (SB 411 – Rabon) amends 2012 legislation requiring greater disclosure of individuals appointed by local governments to serve on MPO boards by requiring any individual with voting authority on a MPO board to follow State Government ethics guidelines; SB 411 passed Senate and referred to House Transportation

County and City Ethics (HB 659 – Moffitt) requires all members of governing board of cities, towns and other political subdivisions to file statements of economic interests as if those members were public servants as defined in NCGS 138A-3; reported out of House Government and re-referred to House Appropriations

Towns Enforce Ordinances on Lake Norman (HB 186 – Jeter / SB 142 – Tarte) authorizes towns of Cornelius, Davidson, Huntersville, Mooresville and Troutman to enforce ordinances adopted by the towns on the waters of Lake Norman extending 2,500 feet from the shoreline at the 760 waterline (the 760 waterline indicates that the elevation of the lake is 760' when full); SB 142 referred to Senate State and Local Government; HB 186 was reported favorably out of House Government and re-referred to House Judiciary Subcommittee B

Repeal Combined Motor Vehicle & Registration System (HB 30 – Stevens/ SB 260 – Bingham) repeals the 2005 law that provides for payment of local motor vehicle taxes at the same time the annual state vehicle registration is required; system will soon be going online and is expected to result in a higher rate of taxes collected; HB 30 referred to House Transportation; SB 260 referred to Senate Rules

### **Transportation Tolling:**

HB 267 (Collins) would require General Assembly approval of any tolling projects, which is apparently driven by intense opposition to tolling of I-95; referred to House Transportation; SB 521 (Rabon) and SB 601 (Rabon) make amendments to 2012 legislation that authorized a public-private partnership for adding HOT lanes to I-77 from Uptown to northern Mecklenburg; SB 601 referred to Senate Transportation, while SB 521 has not been referred to Committee

**Garden Parkway:** Four legislative initiatives potentially imperil the planned Garden Parkway that would connect Charlotte-Douglas International Airport to Gaston County and eventually I-85; the Garden Parkway is considered key to realizing the economic potential of the new Norfolk Southern Railroad intermodal rail yard being constructed at Charlotte-Douglas International Airport; the bills are Repeal Certain Turnpike Projects Authorization (SB 716 – Rabon); Remove

Route Restrictions for NC 540 Loop (HB 10 – Stam); Repeal Garden Parkway Authorization/Funding (HB 134 – Bumgardner); and Freedom of Movement in Southwestern North Carolina (HB 932 – Bumgardner); HB 10 is the subject of House-Senate conference process that is moving very slowly

## BILL TRACKING REPORT

The following report shows all bills being followed by City staff.

<b>Bill # Title (Sponsors)</b>	<b>Summary of Major Provisions &amp; Impacts Upon City</b>	<b>Bill Status</b>	<b>Staff Resource(s)</b>
<b>City's Legislative Agenda</b>			
<a href="#">SB 104</a> Eliminate Critical Infrastructure Sunset (Hartsell, Meredith)	<b>Infrastructure Improvements:</b> Bill eliminates the sunset date of the Special Assessments for Critical Infrastructure Needs Act Consistent with City and MTC legislative agendas	Referred to Senate Finance	CATS
<a href="#">SB 276</a> Charlotte Charter/Investments (Clodfelter)	<b>Long Term Investment Program:</b> Allows the City to make investments which meet the "prudent person" standard	Referred to Senate State and Local Government	Finance
<a href="#">SB 299</a> Charlotte Charter/Civil Service Board (Graham, Clodfelter)	<b>Civil Service Board:</b> Increases the membership of the City of Charlotte Civil Service Board from seven to nine	Referred to Senate State and Local Government	City Clerk
<a href="#">SB 301</a> Increase Allowed Size of Passenger Buses (Graham)	<b>Public Transportation Buses:</b> Allows passenger buses that have an overall length of 60 feet or less to operate on public streets and highways	Referred to Senate Transportation	CATS
<a href="#">HB 375</a> Increase Allowed Size of Passenger Buses (Jeter, Bryan, Schaffer, Cotham)	Local bill—applies to Charlotte only; Buses must be operated primarily on routes with speed limits of 45 miles or greater	Passed House; referred to Senate Transportation	
<a href="#">SB 322</a> Amend Authority for Local Special Obligation Bonds (Clodfelter)	<b>Transportation Project Financing:</b> Allows local governments to issue special obligation bonds for public transportation facilities, which would enable local governments to utilize the federal governments TIFIA program	Referred to Senate Finance	Finance
<b>Tax Reform</b>			
<a href="#">HB 642</a> Lower Corporate Income Tax Rate (Conrad, Jeter, Moffit, Murry)	Lowers the corporate income tax rate to 4.9%	Referred to House Finance	Finance

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<a href="#">HB 985</a> Tax Reduction and Simplification (Blust)	Reduces the individual and corporate income tax rates, replaces the franchise tax with a lower business privilege license tax, reduces the state sales tax	Referred to House Rules	Finance
<a href="#">SB 363</a> Business Tax Reduction and Reforms (Brock)	Simplifies various business taxes including repeal of local privilege license taxes	Referred to Senate Finance	Finance
<a href="#">SB 394</a> Lower Tax Rates to a Stronger Economy (Clodfelter)	Comprehensive tax reform proposal that impacts both State and local tax systems; Broadens bases of State and local sales taxes; Repeals local privilege license taxes	Referred to Senate Finance	Finance
<a href="#">SB 669</a> Reduce the Individual Income Tax Rate (Rucho, Rabon, Berger)	Phases in a reduction of the individual income tax rate and directs a study of the elimination of the individual income tax	Referred to Senate Finance	Finance
<a href="#">SB 677</a> Corporate Income Tax Reduction and Reform (Rucho, Rabon)	Gradually lowers corporate income tax rate to 6% by 2015	Referred to Senate Finance	Finance
<b>General</b>			
<a href="#">HB 6</a> Public Sector Collective Bargaining / Right to Work / Secret Ballot Constitutional Amendments (Tillis, Moffitt, Murry)	Proposes that State Constitution be amended to include long term prohibition on public sector collective bargaining and right to work laws, and guarantee to secret ballots in union elections; November 2014 general election ballot; Similar but not identical to <a href="#">HB 53</a> which amends NC Constitution to guarantee an individual's right to work and prohibits contracts between state/local governments and labor organizations; Makes statutory changes to Article 10 of Chapter 95	HB 6 referred to House Rules; HB 53 referred to House Rules	HR
<a href="#">HB 8</a> Eminent Domain (McGrady, Stam, Lewis, Goodman)	Proposes that State Constitution be amended to prohibit condemnation except for a public use; Similar to Edition 3 of 2011-2012 HB 8 that passed House but was not considered by Senate; November 2014 general election ballot	Passed House; Referred to Senate Judiciary I	E&PM
<a href="#">HB 30</a> Repeal Combined Motor Vehicle & Registration System (Stevens, Starnes)	Bill repeals 2005 law and subsequent amendments to provide for payments of local motor vehicle taxes at same time state vehicle registration is due to ensure owners pay their taxes; <a href="#">SB 260</a> identical	Referred to House Transportation	Finance

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<a href="#">HB 74</a> Periodic Review and Expiration of Rules (Murry, Moffitt, Samuelson and Bryan)	Allows for the expiration of a permanent rule unless there is a readoption of the rule by the Rules Review Commission	Referred to House Regulatory Reform	E&PM
<a href="#">HB 79</a> Annexation amendment (Pittman, Hardister)	Amends the NC constitution to restrict annexation by municipalities. Requires any municipal initiated annexation to be approved by 2/3 of the voters residing in the affected area.	Referred to House Government	Planning
<a href="#">HB 110</a> Public Contracts/ Project Labor (Goodman, Bell, Moffitt, and Murry)	Prohibits contracts that requires a bidder or contractor to enter into an agreement with a labor organization as a term of a contract; <a href="#">SB 611</a> identical	Passed House; referred to Senate State and Local Government	E&PM
<a href="#">HB 160</a> Public Contracts/Illegal Immigrants (Conrad, Cleveland, Mills and Szoka)	Prohibits state and local government contracts with contractors who employ illegal immigrants and requires contractors to verify and certify their employees' authorization to work in the US	Referred to House Government	E&PM
<a href="#">HB 208</a> Ban the Box (Brandon, Pierce, R. Moore)	Prohibits an employer from inquiring whether an applicant for employment has been convicted of a criminal offense and assesses a civil penalty against those who do	Referred to House Commerce	HR
<a href="#">HB 227</a> Local Governments/ Vacant Housing (Brandon, Hardister, Faircloth, Collins)	Authorizes cities and counties the ability to petition superior court to appoint a receiver to rehabilitate, demolish or sell a vacant building, structure or dwelling in a case when an owner has failed to comply with an order to do so. It also charges the owner with a \$100 administrative fee.	Referred to House Government	N&BS
<a href="#">HB 248</a> Taxpayer Debt Information Act (Conrad, Fulghum, Cleveland, Blust)	Requires a disclosure of the amount of interest that would be incurred from the issuance of bonds to appear on the ballot; Similar to legislation filed in 2011	Passed House; Referred to Senate Finance	Finance
<a href="#">HB 425</a> Public Employment Applicants/Criminal Histories (Pierce)	Mandates that public employers may not inquire into or consider criminal history of an applicant for employment until a conditional offer of employment has been made.	Referred to House Rules	HR
<a href="#">HB 504</a> Local Electronic Notice (McGrady, Stam, Jackson, Hardister)	Allows counties and cities to give electronic notice in lieu of publication or advertisement	Referred to House Judiciary Subcommittee B	City Clerk Communications
<a href="#">HB 632</a> Property Owners Protection Act (Moffitt)	Awards attorney fees to successful plaintiffs in land use cases against City, County and State government	Referred to Judiciary Subcommittee B	Planning

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<a href="#">HB 659</a> County and City Ethics (Moffitt)	Outlines additional ethics standards members of governing boards for cities, counties, education, unified governments, sanitary and consolidated city-county governments	Referred to House Appropriations	CMO
<a href="#">HB 677</a> Local Government Regulatory Reform (W. Brawley, Moffitt, Stone)	Regulatory reform legislation that prohibits municipalities from authorizing employers to withhold labor union dues from an employee's pay, expenses allowances or other compensation and from requiring an employer to assume responsibility for an employee's carbon footprint, which may result in a fine, fee, or other negative consequences	Referred to House Regulatory Reform	HR
<a href="#">HB 708</a> Public Enterprise/Use of Funds (Moffitt)	Prohibits a municipality or county from using revenue from a public enterprise for any other use other than for paying the operating costs and debt payments for that public enterprise or lowering its rates; Will be turned into a Study Bill	Referred to House Finance	Finance
<a href="#">HB 870</a> Record Closed Sessions of Public Bodies (Dixon)	Requires all public bodies to record meetings held in closed session with the exception of those related to employment	Referred to House Judiciary Subcommittee B	City Clerk Communications
<a href="#">HB 723</a> Legal Notices/Require Internet Publication (Malone, Avila, Fulghum)	Requires internet publication of legal notices on a newspaper's website at no extra cost when notices are published in the newspaper's printed edition	Referred to House Judiciary Subcommittee B	City Clerk Communications
<a href="#">HB 962</a> Municipal Sales Tax (Hamilton)	Allows municipalities to levy an additional one-half percent sales and use tax	Referred to House Rules	Finance
<a href="#">HB 984</a> Budget Authority Amendments (Blust)	Requires the implementation of zero-based budgeting for the State by 2019—2021 Fiscal Biennium	Referred to House Judiciary Subcommittee A	Finance Budget
<a href="#">SB 81</a> Charlotte Regional Airport Authority (Rucho)	Transfers City's control of the Charlotte Douglas International Airport to a 13-person authority to operate the airport; Authority would be comprised of appointments by the NC Governor, General Assembly leadership, Charlotte Mayor and Council, as well as Mecklenburg, Gaston, Cabarrus, Union, Lincoln and Iredell counties; <a href="#">HB 104</a> is identical to introduced version of SB 81	Passed Senate; referred to House Transportation	CMO
<a href="#">SB 125</a> Public Meeting/Records Law Violations (Goolsby, Apodaca)	Makes it a Class 3 misdemeanor to deny access to public records for the purpose of inspection or to deny copies of public records	Referred to Senate Judiciary I	Communications City Clerk

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<a href="#">SB 159</a> Require Certain General Appraisals (Tarte, Rucho)	Adjusts reappraisals that resulted in property values that do not comply with State requirements; Identical to <a href="#">HB 200</a>	SB 159 passed Senate; Referred to House Government; HB 200 Referred to House Finance	Finance
<a href="#">SB 186</a> Notice Publication by counties and cities (Wade, Brock)	Allows counties and cities to adopt an ordinance that allows them to publish public notices electronically in lieu of or in addition to printed notices via publications and advertisements.	Referred to Senate Rules	Communications City Clerk
<a href="#">SB 331</a> Sunshine Amendment (Goolsby)	Calls for a voter referendum on whether to add an “access to public records and meetings” section to the NC constitution.	Referred to Judiciary I Committee	CMO
<a href="#">SB 332</a> Government Transparency Act (Goolsby)	Increases access to personnel records including performance records and reasons for promotion, demotions, transfers, separations or any changes in position classification; <a href="#">HB 837</a> similar SB 332 that increases accessibility to public personnel hiring, firing, performance records and other governmental records and meetings	SB 332 referred to Judiciary I Committee; HB 837 referred to State Personnel	HR
<a href="#">SB 411</a> Ethic requirements for MPOs/RPOs (Rabon, Harrington)	Requires that representatives with voting authority on MPOs and RPOs are subject to the same ethic provisions as state government employees	Passed Senate; Referred to House Transportation	Planning
<a href="#">SB 469</a> Budget Technical Corrections (Brunstetter)	Annual bill filed to make corrections to budget legislation	Referred to Senate Appropriations/ Base Budget	Budget Finance
<a href="#">SB 558</a> State Treasurer’s Investments (Hise)	Makes changes to authority of State Treasurer to invest retirement system funds	Referred to Pensions Committee	Finance
<a href="#">SB 703</a> Limit Local Regulations of Outdoor Smoking (Newton, Jackson, Brock)	Prohibits local governments and local community colleges from regulating outdoor smoking in a manner that is more restrictive than State law	Referred to Senate Agriculture	CMO
<a href="#">SB 723</a> Local Accountability Act (Clark)	Amends the NC Constitution to prevent the condemnation of property by an unelected board and requires the condemnation to be approved by the appointing elected board of the county where the property is located	Referred to Senate Judiciary I	CMO

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<a href="#">SB 725</a> Governor's Proposed Budget (Brunstetter, Hunt, Brown)	Makes base budget appropriations for current operations of state departments, institutions, agencies and other purposes; <a href="#">HB 974</a> is identical	Referred to Senate Appropriations	Finance Budget
<b>Public Safety</b>			
<a href="#">HB 17</a> Gun Permits / Restaurants & Confidentiality (Burr, Hager, Hollo, J. Bell)	Allows persons with concealed handgun permits to possess handguns in restaurants if allowed by establishment, and to preserve confidentiality of information concerning concealed handgun permits and pistol purchase permits	Passed House; Referred to Senate Judiciary I	CMPD
<a href="#">HB 48</a> Operation of Mopeds (Shepard)	Requires mopeds to be licensed and insured.	Referred to House Transportation	CMPD
<a href="#">HB 49</a> Firearm in Locked Motor Vehicle / Parking Lot (Shepard)	Shares some similarities to 2011-2012 HB 111; Prohibits any business, commercial enterprise or employer from prohibiting the storage of firearms or ammunition when locked out of sight in motor vehicles; Allows for civil suits when a person is injured or killed against any business, commercial enterprise or employer who violates the locked out of sight standard; Provides for reinstatement, back pay, etc. of employees discharged from employment as result of violating company policies in conflict with this bill; Effective December 1, 2013 and applies only to violations committed on or after that date	Referred to House Rules	CMPD
<a href="#">HB 59</a> Eliminate Safety Inspections (Howard)	Eliminates annual vehicle safety inspections as well as the requirement that window tinting inspections be conducted by a licensed safety inspector. Legislation stems from recommendations by the Joint Legislative Program Evaluation Oversight Committee; Identical to <a href="#">SB 194</a>	HB 59 referred to House Transportation; SB 194 referred to Senate Rules	CMPD
<a href="#">HB 63</a> Support Right to Bear Arms (Speciale)	A resolution expressing support of the Second Amendment and opposes any infringement by the federal government in keeping and bearing arms	Referred to House Rules	CMPD
<a href="#">HB 299</a> Law Enforcement Officer Fairness Act (Jordan, Glazier, Avila)	Standardizes the dismissal of municipal law enforcement officers through the state. Requires departments to develop rules that define just cause. Ensures officers are eliminated for just cause and includes the establishment of review boards for disciplinary appeals.	Referred to House Rules	CMPD City Clerk

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<a href="#">HB 345</a> Increase Penalties for Misuse of 911 System (Faircloth, McNeill)	Increase the criminal penalty for misuse of 911 from a Class 3 misdemeanor to Class 1 misdemeanor.	Referred to Judiciary Subcommittee B	CMPD
<a href="#">HB 348</a> Public Safety Technology/State ROW (Faircloth)	Allows the NC Department of Transportation to enter into agreements with local governments to utilize public safety technology in the rights-of-way of state maintained roads	Referred to House Transportation	CMPD
<a href="#">HB 547</a> Tax and Regulate Video Sweepstakes (Wray, Collins)	Regulates and imposes an excise tax on electronic sweepstakes	Referred to House Commerce	CMPD Finance
<a href="#">HB 612</a> Confinement of Animals in Motor Vehicles (Harrison, Saine, R. Brown, Horn)	Makes confining animals in motor vehicles under circumstances that threaten the animal's health a Class 1 misdemeanor	Referred to House Judiciary Subcommittee B	CMPD
<a href="#">HB 618</a> Amend Firearm Restoration Law (Speciale, Pittman)	Reduces the amount time a person must wait to petition restoration of firearm rights and allows petitioners who have a nonviolent felony to receive restoration of rights after waiting an additional year	Referred to House Judiciary Subcommittee B	CMPD
<a href="#">HB 624</a> Enabling Patriots Act (Pittman)	Expands areas in which concealed handgun permit holders may carry or keep firearms	Referred to House Judiciary	CMPD
<a href="#">HB 626</a> Promptly Notify 911 of Towed Vehicle (Moffitt)	Requires towers to notify local 911 call centers of the towing prior to moving vehicle. Tower must provide description of the vehicles, place from which the vehicle is towed, location of vehicle storage, and contact information for vehicle retrieval	Referred to House Transportation	CMPD
<a href="#">HB 768</a> Pretrial Release/No Unsecured Bond (Schaffer, Hager, Jordan, Brandon)	Eliminates unsecured appearance bond as a pretrial release condition	Referred to House Judiciary Subcommittee A	CMPD
<a href="#">HB 773</a> Local Governments/ Buildings/Structures /Inspections (W. Brawley, Moffitt, Hardister, Brisson)	Revises conditions in which cities and counties may inspect buildings or structures. Prohibits a levying of fees for rental property registration for owners of property with chronic violations	Reported out of House Government	CMPD

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<a href="#">HB 930</a> Dog Breeding Standards/Law Enforcement Tools (Saine, Ramsey, McGrady, R. Brown)	Establishes standards of care for large commercial dog breeding facilities and provides law enforcement tools to enforce standards	Referred to House Rules	CMPD
<a href="#">HB 956</a> Regulate Ownership of Aggressive Dog Breeds (R. Moore)	Regulates the ownership of aggressive dog breeds such as pit bulls, rottweilers, mastiffs and chows. Owners of these breeds have to submit to a background check, take course instruction, notify their homeowner's insurance of their ownership of the aggressive breed and apply for a special permit	Referred to House Rules	CMPD
<a href="#">HB 987</a> Emergency Stun Gun Use by School Personnel (Riddell, Saine, Richardson)	Allows school personnel to carry stun guns on educational property in accordance with policies adopted by their respective schools boards	Referred to House Rules	CMPD
<a href="#">SB 8</a> Towing Fines (Meredith, Clark and Jenkins)	Raises the minimum fine for violating provisions of local tow ordinances authorized by 20-219.2 from \$100 to \$150	Passed Senate; Referred to House Government	CMPD
<a href="#">SB 17</a> Concealed Carry Permits (Bingham)	Invalidates in North Carolina concealed handgun permits issued by other states to nonresidents	Referred to Senate Judiciary II	CMPD
<a href="#">SB 27</a> Public School Protection / Firearm Amendments (Bingham)	Allows individuals both certified by the NC Criminal Justice Education and Training Standards Commission and designated by a local board of education or charter school board of directors to possess and carry firearms on school property to provide additional protection to those attending and working in public schools.	Referred to Senate Rules	CMPD
<a href="#">SB 28</a> Gun Permit Information / No Publication (Bingham)	Increases the confidentiality of information regarding concealed handgun permits and pistol purchase permits. Other than the local permitting sheriff and the NC State Bureau of Investigation, it limits availability of information to other State and local law enforcement agencies	Referred to Senate Judiciary Committee II	CMPD
<a href="#">SB 124</a> Shoot Gun From Inside (Brunstetter)	Makes it a Class E felony to discharge a firearm from within an enclosure with the intent to do harm or incite fear	Passed Senate; Referred to House Rules	CMPD

<b>Bill # Title (Sponsors)</b>	<b>Summary of Major Provisions &amp; Impacts Upon City</b>	<b>Bill Status</b>	<b>Staff Resource(s)</b>
<a href="#">SB 142</a> Towns Enforce Ordinances on Lake Norman (Tarte)	Allows the towns of Cornelius, Davidson, Huntersville, Mooresville and Troutman to enforce their town ordinances on the waters of Lake Norman; Identical to <a href="#">HB 186 (Jeter)</a>	SB 142 referred to Senate State and Local Government; HB 186 reported from House Government; Re-referred to Judiciary Subcommittee B	CMPD
<a href="#">SB 146</a> Private Schools/Firearms Amendments (Bingham, Brock, Hise)	Allows employees and volunteers at a private school to carry weapons on educational property when authorized by the school board of trustees or administrative director and allows a person to carry a concealed handgun during worship services at a location that serves as both a school and a place of worship	Referred to Senate Judiciary Committee I	CMPD
<a href="#">SB 190</a> Gun on Ed. Property/Stored in Locked Car (Cook, Brock)	Allows an adult, who has a concealed gun permit, to have a gun on the property of a school, community college or university, provided the gun is in a closed container in or attached to a person's vehicle and is removed only for defensive purposes	Referred to Senate Rules	CMPD
<a href="#">SB 342</a> Amend Gun Laws (Newton, Soucek, Tarte)	Permits a person with a concealed handgun permit to possess a handgun in a restaurant unless a notice prohibiting the possession is posted. Also makes it unlawful for a felon to possess ammunition, certain weapons and a concealed handgun. Also clarifies that local governments may prohibit concealed weapons on municipal recreational facilities but they cannot include greenways, bike paths or walking paths.	Referred to Senate Rules	CMPD
<a href="#">SB 408</a> Lawful Citizens Self Protection Act (Tarte, Randlemann, Brock)	Expands areas in which concealed handgun permit owners may carry or keep firearms for self-protection	Referred to Senate Rules	CMPD
<a href="#">SB 549</a> Gun Privacy (Tucker, Meredith)	Provides that lists of persons who obtain permits and identifying information to purchase pistols or obtain concealed handgun permits are confidential and not a public record	Referred to Senate Judiciary I	CMPD
<a href="#">SB 659</a> MAP 21 Conforming Revisions (Harrington, Rabon)	Conforms state motor vehicle law to the recently passed federal MAP-21; Identical to <a href="#">HB 539</a>	SB 659 passed Senate; Referred to House Appropriations; HB 539 referred to House Judiciary	CMPD  CMPD

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<a href="#">SB 685</a> Concealed Handgun Permit/Certain Exceptions (Goolsby)	Allow a NC district judge, superior court judge, magistrate, clerk and register of deeds who has a concealed handgun permit to carry a weapon on certain premises or in certain circumstances	Referred to Senate Rules	CMPD
<a href="#">SB 713</a> Close ATM Loophole/Copper Purchasing Sites (Bryant)	Prohibits ATMS at fixed sites occupied by secondary metals recyclers	Referred to Senate Commerce	CMPD
<b>Environment &amp; Planning</b>			
<a href="#">HB 94</a> Amend Environmental Laws (McElraft, Samuelson and McGrady)	This is the omnibus environmental amendments bill considered every year Clarifies the process for civil penalties associated erosion and sedimentation violations, which may impact the City; Identical to <a href="#">SB 112</a>	HB 94 referred to House Environment; SB 112 referred to Senate Agriculture	E&PM CMUD
<a href="#">HB 264</a> Justice for Rural Citizens Act (Pittman, Ford, Moffit, Hardister)	Prohibits municipalities from enacting extraterritorial jurisdiction beyond their corporate limits	Referred to House Government	Planning
<a href="#">HB 276</a> Zoning / Board of Adjustment Changes (G. Graham, Stam)	Makes substantive changes to the Board of Adjustment statute	Passed House; referred to Senate Commerce	Planning
<a href="#">HB 480</a> Environmental Permitting Reform (Millis, Moffit, Catlin, Hardister)	Makes changes in how state and local entities issue environmental permits	Referred to House Environment	CMUD E&PM
<a href="#">HB 488</a> Regionalization of Public Utilities (Moffitt, McGrady, Ramsey)	Transfers ownership and operation of certain public water or sewer systems that do not function as joint systems to a metropolitan water and sewerage district; Intended to apply only to the Asheville water system	Passed House; Passed Senate 2nd reading	CMUD
<a href="#">HB 573</a> Stormwater Management Fees (Jeter, Samuelson)	Broadens permitted use of storm water fees by allowing counties to purchase property as well as implement flood damage reduction techniques on private property with the owner's consent; Mecklenburg County initiative; Identical to <a href="#">SB 275</a> (Clodfelter)	HB 573 referred to House Finance; SB 275 referred to Senate Finance	E&PM
<a href="#">HB 608</a> ETJ Powers Limited (Pittman, Ford, Moffitt, Hardister)	Allows cities who currently exercise ETJ powers on June 1, 2013 to continue to do so, but prohibits the exercise of ETJ powers by cities who are not exercising them on June 1, 2013	Referred to House Government	Planning

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<a href="#">HB 625</a> Zoning/Health Care Structure (Moffitt, Howard, Setzer, Ramsey)	Allows for the zoning of temporary health care structures which would be occupied by a caregiver. The structure must be removed within 60 days in which the impaired person is no longer receive care or in need of assistance	Reported out of House Government	Planning
<a href="#">HB 646</a> Airports Exempt from Local Tree Ordinances (Catlin, S. Ross)	Prohibits counties and cities from adopting or enforcing tree ordinances and regulations of trees on the property of airports owned by a municipality, county or authority	Reported out of House Government	Planning E&PM
<a href="#">HB 664</a> Cell Tower Deployment Act (Hager, Moffitt, W. Brawley, Alexander)	Amends authority of local governments to regulate wireless telecommunications facilities	Referred to House Public Utilities	Planning Shared Services
<a href="#">HB 769</a> Zoning/Limit Manufactured Home Restrictions (Ramsey, Burr and Wray)	Amends zoning laws to limit when counties can restrict placement of manufactured homes in areas zoned for single-family residential use	Reported out of House Government	Planning
<a href="#">HB 894</a> Allocation of Excess Stormwater (Catlin, Hamilton, Moffitt)	Authorizes cities to waive stormwater detention requirements for urban redevelopment projects if there exists excess capacity in its existing receiving stormwater system; While the bill is an authorization rather than a requirement, application may be limited due to there being little to no excess capacity in many of the City's stormwater systems; If there is application, it would require a significant amount of staff time to determine excess capacity, justly allocate the capacity, and keep record of it; This may also affect future development draining to the system	Reported out of House Government	E&PM
<a href="#">HB 938</a> Improve Wetlands Mitigation Program (Lewis)	Directs NCDENR and NCDOT to perform the following: <ul style="list-style-type: none"> <li>• Petition the US Army Corps of Engineers for greater flexibility and opportunity for wetland mitigation</li> <li>• Review fees charged by the ecosystem enhancement program</li> <li>• Study whether the State should assume administration of the Section 404 permitting program under the Federal Water Pollution Control Act for NC from the US Army Corps of Engineers</li> </ul>	Referred to House Environment	E&PM

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<a href="#">SB 105</a> Clarify Political Sign Ordinance Authority (Tillman)	Amends legislation passed in 2011 by allowing municipalities to enforce State law regulating and prohibiting placement of political signs along state highways that fall within a municipality's corporate limits	Passed Senate; Referred to House Transportation	N&BS
<a href="#">SB 108</a> Building Inspections/Local Consistency (Apodaca, Hunt, Ford)	Local governments must seek approval from the NC Building Code Council before requiring routine and regular inspections with requirements above the NC Building Code; Identical to <a href="#">H 120</a>	SB 108 referred to Senate Commerce; HB 120 passed House; Referred to Senate Commerce	E&PM CMU
<a href="#">SB 139</a> Zoning/Design and Aesthetic Controls (Clodfelter, Gunn and Tarte)  <a href="#">HB 150</a> Zoning/Design and Aesthetic Controls (W. Brawley, Moffitt and Jordan)	Limits the application of design building standards at the county and municipal level to the following circumstances only: <ul style="list-style-type: none"> <li>• structures located in local historic districts</li> <li>• structures located in areas listed on the National Registry of Historic Places</li> <li>• structures located in local, state or national historic landmarks</li> <li>• when the standards are related to safety code requirements</li> <li>• for applications for manufactured or modular housing</li> <li>• as a condition of participation in the National Flood Insurance Program</li> </ul>	SB 139 referred to Senate Commerce; HB 150 passed House; Re-referred to Senate Rules	Planning E&PM
<a href="#">SB 192</a> Allow ROW Usage in Central Business Districts (Hunt, Daniel, Harrington)	Permits local governments to enact sidewalk dining ordinances for use of State owned right of way; Identical to <a href="#">HB 192</a>	SB 192 referred to Senate State and Local Government; HB 192 passed House; Referred to Senate State and Local Government	CDOT
<a href="#">SB 328</a> Solid Waste Management Reform Act of 2013 (Wade, Brown, Jackson)	Directs the Commission on Public Health and DENR to adopt and enforce a rule requiring solid waste vehicles and containers to be leak resistant instead of leak proof	Referred to House Agriculture	Solid Waste
<a href="#">SB 612</a> Regulatory Reform Act of 2013 (Brown, Jackson, Brock)	States that when city ordinances may conflict with similar county ordinances, what types of debris may be used for structural fill, laws that concern groundwater compliance permits; prohibition on master metering to permit an all- inclusive lease; exemption of certain properties from riparian buffer rules	Reported out of Senate Commerce	E&PM

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<b>Infrastructure</b>			
<a href="#">HB 86</a> Restore Wallace to Wilmington Railroad (Hamilton, Shepard, R. Moore and Catlin)	Requires the NCDOT to seek funding for two economic development projects. The first to restore the rail connection from Wallace to Castle Hayne and another project to improve rail access to the NC State Port at Wilmington	Reported out of House Transportation; referred to House Appropriations	CATS
<a href="#">HB 157</a> Limit Use of Highway Fund Credit Balance (Jeter, B. Brown, Dobson, Szoka)	Ensures unreserved credit balance in the Highway Fund is used for road-related uses only	Reported out of House Transportation; referred to House Appropriations	CDOT
<a href="#">HB 195</a> Cornelius/Extend Use of Design Build (Jeter)	Extends the Town of Cornelius' authority to use design build construction from 2013 to 2016. In 2011 legislation, Cornelius received the authority to undertake three design build projects over two years.	Passed House; referred to Senate State and Local Government	CMO
<a href="#">HB 238</a> Fiscal Health of Water and Sewer Systems (Cleveland, Dockham)	Grants authority to Local Government Commission to assume control of local water and sewer systems if certain benchmarks are not achieved; Identical to <a href="#">SB 207</a> ; City staff was able to secure amendment to SB 207 to ensure benchmarks for financial performance reflected intent of Act	HB 238 referred to Senate Agriculture; SB 207 referred to House Government	CMUD
<a href="#">HB 267</a> NCGA Prior Approval of Tolling Interstates (Collins, Torbett, Floyd, Wray)	Requires General Assembly approval prior to tolling existing interstate highways	Referred to House Transportation	CDOT
<a href="#">HB 378</a> Study Oversight of MPOs (Floyd, Lucas, Hanes, C. Graham)	Creates a committee to study the oversight of Metropolitan Planning Organizations and their roles in transportation planning.	Referred to House Transportation	Planning
<a href="#">HB 476</a> Underground Damage Prevention (Hager, Moffit, Murry)	Makes comprehensive changes to Underground Damage Prevention Act	Referred to House Public Utilities	CDOT CMUD
<a href="#">HB 814</a> Study Water & Sewer Service Districts (Hamilton, Moffitt, R. Moore and Mills)	Directs the Environmental Review Commission to study the reduction and consolidation of statutory models for establishing, operating and financing certain organizations that provide water and sewer services	Referred to House Rules	CMUD

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<a href="#">HB 857</a> Public Contracts/ Construction Methods/DB/PD (Arp, Bryan, Moffitt, Hager)	Allows government entities to use the design-build method to erect, construct, alter or repair public buildings as well as enter into public-private partnership construction contracts	Referred to House Government	E&PM
<a href="#">HB 887</a> Public Contracts/Public- Private Partnerships (Moffitt, Hager, Murry, W. Brawley)	Allows government entities to enter public-private partnerships for the operation and development of facilities and infrastructure for public purposes	Referred to House Commerce	N&BS
<a href="#">HB 966</a> Cap Fuel Tax (Blust)	Caps the fuel tax rate at the current capped level for FY2014 and at 36.5¢ per gallon for FY2015	Referred to House Transportation	CDOT
<a href="#">HB 979</a> DOT Funding to Support Economic Development (Torbett)	Appropriates \$16 M in funding to NCDOT to support and enhance economic development	Referred to House Appropriations	N&BS
<a href="#">SB 9</a> Utility / Design / Survey Location Services (Meredith, Clark)	Requires Utility owners to locate and describe underground utilities upon written or oral request from a person who is responsible for designing or surveying underground facilities or requires a general description and location of existing underground facilities in an area	Passed Senate; referred to House Commerce	CDOT CMUD
<a href="#">SB 29</a> NCR Reporting (Hartsell)	Strengthens oversight, annual reporting and strategic planning by the NC Railroad Company; Requires one-time cash dividend of the NC Railroad to the General Fund, annual cash dividend of the NC Railroad to the General Fund, and transfer of low-income non-corridor properties from the NC Railroad to the State as recommended by the joint legislative program evaluation oversight committee Identical to <a href="#">HB 174</a>	SB 29 referred to Senate Appropriations; HB 174 referred to House Appropriations	CATS
<a href="#">SB 102</a> Public Infrastructure Oversight Commission (Hartsell)	Establishes a 24-member Joint Legislative Public Infrastructure Oversight Commission to examine and make recommendations to promote coordinated local, regional and state planning and investment in public infrastructure	Referred to Senate Rules	CMO
<a href="#">SB 103</a> Amend Petition and Method for Critical Assessments (Hartsell)	Amends the law related to special assessments for critical infrastructure in cities and counties. Specifies the proportionate share of a vote an owner of property with multiple owners receives when determining whether a majority of real property owners in assessed area have petitioned the municipality	Referred to Senate Finance	CATS

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<a href="#">SB 330</a> Study Water and Sewer Providers (Goolsby, Clodfelter)	Directs the Environmental Review Commission to study the reduction and consolidation of statutory models for establishing, operating and financing certain organizations that provide water and sewer services in North Carolina.	Referred to Senate Rules	CMUD
<a href="#">SB 341</a> Amend Interbasin Transfer Law (Rabon)	Limits transfer between basins with a certificate to an average of 2 million gallons per day not to exceed 5 million per day on any given day	Referred to House Agriculture	CMUD
<a href="#">SB 412</a> Water Infrastructure Authority/Water Grants (Hartsell)	Establishes a NC water and wastewater infrastructure authority to administer the state's funding for water and wastewater projects	Referred to House Agriculture	CMUD
<a href="#">SB 413</a> Interconnection of Public Water Systems (Hartsell)	Requires the interconnection of public water systems or wastewater systems to regional systems when necessary to promote public health, protect the environment and ensure compliance with drinking water rules. Also requires analysis before the construction or altering of a public water system	Referred to House Agriculture	CMUD
<a href="#">SB 521</a> Clarify Transportation Tolling Statutes (Rabon, Daniel)	Clarifies legislation passed in 2012 that authorized pilot P3 project; <a href="#">SB 601</a> is similar bill clarifying NCDOT toll contracting collection and enforcement	SB 521 held as filed; SB 601 referred to Senate Transportation	CDOT
<a href="#">SB 609</a> Regional Transportation Authorities (Clodfelter)	Reorganizes regional public transportation statutes to allow local governments to create regional transportation funding agreements and provide for financing of its projects	Referred to Senate Transportation	CDOT
<a href="#">SB 716</a> Garden Parkway / Repeal Certain Turnpike Projects Authorization/ Funding (Rabon)	Removes certain projects from the Turnpike Authority Projects list, including the Garden Parkway and transfers the funding to the Mobility Fund; Other bills that eliminate the authorizations for and funding of the Garden Parkway include HB 10 (Stam), HB 134 (Bumgardner), and HB 932(Bumgardner)	Referred to Senate Transportation	CDOT
<b>Economic Development</b>			
<a href="#">HB 55</a> Reform Workforce Development (Howard)	Resolution to realign local workforce development areas with boundaries of councils of governments as recommended by the Joint Legislative Program Evaluation Oversight Committee. It would reduce number of workforce development areas and increase number of counties workforce development areas would cover; Identical to <a href="#">SB 147</a>	HB 55 referred to House Commerce; SB 147 referred to Senate Commerce	N&BS

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<a href="#">HB 69</a> Opportunity Advancement Zones (Torbett)	Provides tier one tax treatment of employers located within newly created opportunity advancement zones based on the following criteria: <ul style="list-style-type: none"> <li>• 40% of households with incomes below \$25K and exceeds the federal employment rate by 2%</li> <li>• 33% of households with incomes below \$25K and exceeds the federal employment rate by 4%</li> <li>• 25% of households with incomes below \$25K and exceeds the federal employment rate by 6%</li> </ul>	Referred to House Commerce	N&BS
<a href="#">SB 19</a> Building Contracts / Local Business Participation (Bingham, Clark and Jenkins)	Requires counties and cities to require bidders on public building contracts to demonstrate that they have made good faith efforts to recruit participation by local businesses in the contracts; Includes provisions that contracts awarded under this section shall be without regard to race, color, creed, age, sex or handicap which potentially impacts local MWBE programs	Referred to Senate Commerce	N&BS
<a href="#">SB 232</a> Public Contracts/Local Business Preference (Soucek)	Allows counties and cities to give preference to local bidders when contracting for construction, repair work or purchases of apparatus, equipment and supplies paid for by public money; Identical to <a href="#">HB 284</a>	SB 232 referred to Senate Rules; HB 284 referred to House Government	N&BS
<a href="#">HB 957</a> Food Desert Zones (Holley)	Provides tax incentives (10% of total gross receipts) to encourage the delivery and availability of nutrient dense foods in food desert zones	Referred to House Commerce	N&BS
<a href="#">HB 994</a> Make Film Credit Nonrefundable (Luebke, Catlin, Millis, Stam)	Fundamentally changes the film production tax credit to where only in state companies can apply for it	Referred to House Rules	N&BS