



OFFICE OF THE CITY MANAGER M E M O R A N D U M

August 30, 2013

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

FROM: Dana Fenton, Intergovernmental Relations Manager

SUBJECT: 2013 “Long” Session North Carolina General Assembly Report

The North Carolina General Assembly (NCGA) convened the 2013 regular session on January 9, 2013 and adjourned on July 26, 2013, and will reconvene the regular session on May 14, 2014. The portion of the regular session held during 2013 is commonly referred to as the “long” session and the portion held in 2014 as the “short” session.

The House and Senate each met for 104 legislative days in the 2013 “long” session. Summary bill statistics are as follows:

- 1,751 House and Senate bills and resolutions were introduced
- 416 bills were enacted into law, of which approximately 80 are considered “local”
- 2 bills were vetoed by the Governor

Attached you will find the 2013 “Long” Session North Carolina General Assembly Final Report that describes the current disposition of legislation of significant interest to the City of Charlotte. Legislation was included if it addressed the City’s legislative agenda, Mecklenburg County “local” topics, and/or would lead to major changes in how departments of City government carried out their duties and responsibilities.

In addition to bills of significance that were enacted into law, such bills that met crossover deadlines and are eligible for consideration in 2014, or those that did not meet crossover deadlines and are not eligible to be heard in 2014 are included in the report.

Legislation is categorized by section as follows:

- 2013 State Legislative Agenda
- General Government
- Public Safety
- Environmental & Planning
- Infrastructure
- Economic Development

Following the final report is a schematic listing of 2013 “Long” Session Legislation of Interest Enacted into Law listing enacted legislation circulated to City departments of government for further analysis and evaluation. In some cases, enacted legislation will require departments to recommend changes to City ordinances, rules and regulations, or operating procedures, some of which may require future Council action. In other cases, this list will serve as a notification to those departments of changes in enabling legislation for their partners in the public sector.

The NCGA will reconvene on September 3, 2013 to consider two vetoed bills. HB 392, Warrant Status / Drug Screen Public Assist, and HB 786, NC Reclaim Act, were vetoed by the Governor.

HB 392 requires County Departments of Social Services to verify whether applicants for certain programs are fleeing felons or probation or parole violators and if so, deny assistance and report to the appropriate authorities; and require drug testing and screening for certain applicants and recipients of Work First Program assistance. The Governor vetoed HB 393 on the basis that the drug testing provisions were not thoroughly analyzed prior to passage of HB 392.

HB 786 is intended to address a variety of illegal immigration issues. The bill prohibits local governments from entering into contracts unless the contractor and contractor’s subcontractors comply with the provisions of Article 2 of Chapter 64 of the General Statutes, which is the E-Verify program to screen new hires. HB 786 also directs the NC Department of Public Safety to study the potential impact of new laws designed to curb illegal immigration on public safety and the State economy. The Governor vetoed HB 786 due to Section 2(f) amendments that increase the seasonal employee exemption from E-Verify requirements from 90-days to nearly nine months in a calendar year. The Governor believes this increase places legal residents at a disadvantage in the job market.

In order to override a veto, at least three-fifths of the members of each house present and voting must agree to pass the bill notwithstanding the objections of the Governor. If the three-fifths threshold in either chamber is not met, then the veto is sustained.

If you have any questions, feel free to contact me at your convenience.

Cc: Mayor and Council
Manager’s Cabinet



2013 "LONG" SESSION NORTH CAROLINA GENERAL ASSEMBLY FINAL REPORT

2013 STATE LEGISLATIVE AGENDA

The Charlotte City Council adopted its 2013 State Legislative Agenda, consisting of six specific legislative initiatives, on December 10, 2012.

Film Production Credits:

- Goal: Eliminate the January 1, 2015 sunset date on film production tax credits
- While a stand-alone bill was not introduced to eliminate the sunset date of the film production credit program, efforts were made to eliminate the sunset date through the Tax Reform measure (HB 998) that was ultimately passed by the General Assembly
- The elimination of the sunset date was not included in the final tax reform measure
- This issue will likely be considered during the 2014 "short" session

Long Term Investment Program:

- Goal: Authorize the City to utilize the "Prudent Person" standard for long term investments
- **SB 276 (Clodfelter)**, authorizing the City to utilize the "Prudent Person" standard for long term investments, was not heard in Senate Committee
- SB 276 is not eligible for consideration in the 2014 "short" session

Public Transportation Buses:

- Goal: Increase the maximum allowable length of public transportation buses from 45 to 60 feet
- **SB 301 (Graham)**, a statewide bill increasing the maximum length of public transportation buses from 45 feet to 60 feet, was not heard in Senate committee and is not eligible for consideration in the 2014 "long" session
- **HB 375 (Jeter)**, a local bill allowing buses owned and operated by the City of Charlotte of up to 60 feet in length to be operated primarily on roadways with speed limits over 45 miles per hour, passed the House but was not considered by the Senate
- HB 375 is eligible for consideration in the 2014 "short" session

Infrastructure Improvements:

- Goal: Extend the sunset date of the Special Assessments for Critical Infrastructure Needs Act from July 1, 2013 to July 1, 2018
- The Special Assessments for Critical Infrastructure Needs Act is being considered as one of several financing vehicles for the Red Line Commuter Rail project
- **SB 103 (Hartsell)** extends the sunset date of the Act from July 1, 2013 to July 1, 2015
- SB 103 was signed into law on July 29, 2013 (SL 2013-371)

Transportation Project Financing:

- Goal: Authorize local governments to utilize special obligation bond financing for public transportation projects
- **SB 322 (Clodfelter)**, authorizing 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, was not heard in Senate Committee
- SB 322 is not eligible for consideration in the 2014 “short” session

Civil Service Board:

- Goal: Increase the membership of the Charlotte Civil Service Board from seven to nine members
- **SB 299 (Graham)**, a Charter bill increasing membership of Charlotte Civil Service Board from 7 to 9 members, was not heard in Senate Committee
- SB 299 is not eligible for consideration in the 2014 “short” session

GENERAL GOVERNMENT

Airport Governance

SB 81 Charlotte Regional Airport Authority (Sen. Rucho) – SL 2013-272 repealed by SL 2013-358 SB 380 Charlotte Douglas International Airport Commission (Sen. Jackson) – SL 2013-358 effective immediately

The Charlotte Douglas International Airport issue was clearly the most divisive local issue addressed by the General Assembly in 2013. The City of Charlotte vigorously opposed all efforts to unilaterally transfer control of the Charlotte Douglas International Airport from the City to another entity. SB 81, which was ratified on July 18, would have created a stand-alone 11-member authority independent of the City of Charlotte called the Charlotte Regional Airport Authority. Due to issues with impairment of bondholder rights and a constitutional takings claim arising from SB 81, a judge issued a temporary restraining order within 90 minutes of passage but before ratification. In order to address these issues, the proponents stripped SB 380 and inserted language that would create a 13-member commission called the Charlotte Douglas International Airport Commission intended to be an agency of the City government. SB 380 also repealed SB 81. The substitute version of SB 380 was approved in House committee in the morning of July 25 and passed its final reading in the Senate at approximately 1:30 a.m. on July 26. Following a hearing on August 1, a judge issued a preliminary injunction preventing the Commission from operating the airport on the basis that the Federal Aviation Administration was the only entity that could issue a certificate of operation for the Airport. While the judge enjoined the Commission from operating the Airport, the Commission does exist as a legal entity and the former Aviation Director of the City of Charlotte is serving as the Executive Director of the Commission.

Appropriations

HB 274 Taxpayer Bill of Rights (Rep. Blust) – Likely Eligible for Short Session

HB 274 attempts to slow the rate of growth in State spending by amending the State Constitution to include a general fund expenditure limit. Under this bill the State general fund would be limited to increase only by a percentage of a fiscal growth indicator. The fiscal growth indicator would be the average sum of inflation and state population change for the preceding three years. A two-thirds vote of the General Assembly would be required to exceed the general fund limit. This constitutional amendment would be voted on during the general election of 2014. The bill attempts to protect local governments from unfunded mandates that could result from efforts to curb State spending by requiring a reduction in the State limit if State responsibilities are assigned to another level of government in order to save money. HB 274 received a favorable report from the House Government Committee but was not considered further.

SB 402 Appropriations Act of 2013 (Sen. Brunstetter) – Law SL 2013-360 effective July 1, 2013, except as otherwise provided

SB 402 is the State budget bill for the 2013-2015 biennium. In addition to appropriating funds for the operations of State government, the budget bill includes a number of policy related provisions that may impact the operations of local governments. For the biennium, sections of interest to the City of Charlotte are as follows:

- State share of construction of the Blue Line Extension is appropriated through the Department of Transportation, Public Transportation Division budget at \$25 million annually

- Section 7.21 authorizes the NC Department of Revenue to enter into interagency agreements with cities and counties to manage the collection of outstanding unpaid parking fines and penalties
- Sections 8.38, 8.39, 8.40, 8.41, 8.42, 8.43, 8.44 and 8.45 enact school safety requirements that require consultation with local law enforcement agencies
- Section 14.3 makes changes to the composition of and duties and powers of the Board of Trustees of the Clean Water Management Trust Fund, which funds projects to clean up or prevent surface water pollution and for land preservation
- Section 14.21(b) creates the new State Water Infrastructure Authority with the mission to develop a master plan to meet the State's water infrastructure needs, monitor progress towards meeting projected needs, develop and implement grant programs, etc.
- Section 14.23(a) makes changes to the composition of the membership of the Environmental Management Commission, and requires the members to follow the requirements of the State Government Ethics Act
- Section 15.7A authorizes the Department of Commerce to be reorganized to establish a Public-Private Partnership to address State economic development needs, which was the subject of SB 127
- Section 34 includes numerous policy provisions applicable to the NC Department of Transportation, which would be of interest to CATS and CDOT

Ethics

HB 659 County and City Ethics (Rep. Moffitt) – Dead

HB 659 would have applied ethics provisions to local governing bodies that previously applied only to those holding statewide office. Among the requirements was the filing of an annual statement of economic interest pursuant to Chapter 138A of the General Statutes. After receiving a favorable report in the House Government Committee, the bill was not acted upon by the House Appropriations Committee.

SB 411 Ethics Requirements for MPOs/RPOs (Sen. Rabon) – Law SL 2013-156 effective June 19, 2013

SB 411 limits the ethics requirements for Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) to only voting members. SB 411 corrects an issue from 2012 legislation that expanded the ethics requirements to MPO and RPO staff and members of advisory committees.

Finance

HB 248 Taxpayer Debt Information Act (Rep. Conrad) – Law SL 2013-200 effective September 1, 2013

HB 248 will require bond order information to include an estimate of the interest to be paid on the bond, and will require that any bond referendum include a statement that the bond repayment will include interest and that additional taxes may be required for repayment. The original version of the bill required the estimate of the amount of interest be written into the referendum. Bond attorneys had indicated to the State Treasurer that such a requirement could invalidate a debt issuance because interest rates at the time of the issuance are likely to be different than estimated rates submitted on the ballot. The enacted version of the bill avoids this problem.

HB 708 Study Public Enterprise Systems/Use of Funds (Rep. Moffitt) – Eligible for Short Session

HB 708 would have imposed a set of restrictions on how local governments could use enterprise fund revenue. After hearing about potential problems with the bill, the bill sponsor agreed to revise the bill so that it would direct the Legislative Research Commission to study the proper use of enterprise revenue and make recommendations for improvement of requirements regarding such revenues. This change was made when the bill was considered by the House Finance Committee. Although approved by the House, the bill was not acted upon by the Senate. However, it is eligible for the 2014 Short Session.

SB 207 Maintaining Water and Sewer Fiscal Health (Sen. Tucker) – Law SL 2013-150 effective July 1, 2013

SB 207 gives the Local Government Commission (LGC) the authority to assume full control of a fiscally troubled public water or sewer system without assuming full control of the government that owns the system. In order for the LGC to assume control, the system must meet one of the following criteria for three consecutive years: (1) the system experienced negative working capital (determined in accordance with generally accepted accounting principles); (2) the system experienced a quick ratio of less than 1.0; or (3) the system experienced a net loss of revenue using modified accrual budgetary basis of accounting. Before the LGC assumes control of a system it must find that the impact of the conditions that are met threatens the financial stability of the local government or public authority. Also, the LGC must find the system failed to make corrective changes to operations after notice and warning from the LGC. The LGC may provide notice and warning to a system prior to the three year period. City staff worked with the State Treasurer's Office on a clarifying amendment to criteria (3), which was included in the enacted legislation, to ensure that the use of fund balances for water and sewer capital projects would not be considered a net loss of revenue that would trigger takeover of a water and sewer system.

Human Resources

HB 208 Ban the Box (Rep. Brandon) – Dead

HB 425 Public Employment Applicants / Criminal Histories (Rep. Pierce) – Dead

HB 208 and HB 425 are similar legislation that would have prohibited local governments from inquiring about applicants' criminal histories on the initial employment application form. Inquiries may be made after a conditional offer of employment had been extended. Neither bill was heard in committee.

HB 677 Local Government Regulatory Reform (Rep. W. Brawley) – Eligible for Short Session

HB 677 would have prohibited local governments from deducting union dues from employee's compensation and remitting same to a labor union or organization. HB 677 passed the House but was not considered by the Senate. It is eligible to be considered in the 2014 short session.

HB 695 Family, Faith and Freedom Protection Act (Rep. Whitmire) – Eligible for Short Session

SB 353 Health & Safety Law Changes (Sen. Harrington) – Law SL 2013-366 various effective dates

These bills addressed issues largely related to abortion. The final approved version SB 353 contains provisions identical to HB 695 that prohibit local government health insurance plans from providing abortion coverage greater than that provided by the State Health Plan for Teachers and State Employees under Article 3B of Chapter 135 of the general statutes. Article 3B only allows the State Plan to provide non-elective abortion coverage.

Legal / Regulatory Reform

HB 74 Regulatory Reform Act of 2013 (Rep. Murry) – Law SL 2013-413 effective on multiple dates

HB 94 Amend Environmental Laws 2013 (Rep. McElraft) – Eligible for Short Session

SB 112 Create Jobs through Regulatory Reform (Sen. Jackson) – Eligible for Short Session

SB 612 Regulatory Reform Act of 2013 (Sen. Brown) – Eligible for Short Session

Regulatory reform has proven to be a very popular topic for the General Assembly the last two sessions. Following the practice of previous sessions, legislators used various omnibus bills to present a variety of unrelated regulatory reform measures. Each bill listed above was approved by at least one chamber this session, but in the end, momentum coalesced around HB 74, with the bill passing on the last day of session. However, the other bills are eligible to be considered in the short session.

While the early session focus of the regulatory reform bills centered upon environmental regulations, later versions, including the enacted HB 74 addressed many different topics that probably impact every department of City government. The initial issue that led to a high level of interest was the proposed preemption of local environmental ordinances that regulate a field also regulated by a state or federal statute or rule, and that are more stringent than that state or federal statute or rule. The final HB 74, Section 10.2 sets up a legislative study of the circumstances under which cities should be authorized to enact environmental ordinances. The bill created a de facto moratorium on enactment of these types of ordinances, set to expire October 1, 2014, by requiring all council members present and voting on such an ordinance to approve the ordinance in order for it to be enacted.

Other sections in HB 74 of interest to the City include:

- Section 3(b) enacts new language requiring many State agency rules and regulations to be reviewed at least once every ten years
- Section 5(b) adds new subsection governing grandfathered uses that violate zoning ordinances
- Section 5(d) provides that when a city contracts with a private entity to carry out a public purpose that the city is authorized by law to perform that the city may not require the private contractor to abide by any restriction that the city could not impose upon all employers in the city, such as paying minimum wage or providing sick leave to its employees
- Section 6(b) prohibits zoning ordinances from differentiating between fraternities and sororities on the basis of recognition from the college or university
- Section 8 contains outdoor advertising amendments that essentially allow owners of all State permitted billboards to rebuild their signs regardless of their local nonconforming status
- Section 10.1(a) prohibits cities from enacting ordinances, rules or regulations that requires employers to assume financial, legal or other responsibility for the mitigation of employees' commuters or transportation to or from the workplace, which may result in an employer being fined or some other financial penalty
- Section 12.1 prohibits local governments from regulating digital dispatching services provided by private entities such as Uber
- Section 19 rewrites NC State Building Code provisions related to use of carbon monoxide detectors
- Section 24 directs the Environmental Review Commission to study the statutory models for the provision of water and sewer service statewide, including interlocal agreements that have been reached to provide such services
- Section 26 calls for Department of Environment and Natural Resources to study continued need

- for annual vehicle emissions inspections
- Section 33 clarifies local government authority under the Sedimentation and Pollution Control Act
 - Section 43 amends the acreage requirements for local governments to enter into development agreements for brownfields developments
 - Section 46 clarifies boundaries for application of groundwater quality standards
 - Section 50 prohibits local governments from impeding storage of nonhazardous recyclable materials in excess of 200 yards from residential districts; City staff worked with Senator Ford to secure the minimum 200 yard buffer requirement
 - Section 51 redefines “built-upon areas” to include gravel covered areas
 - Section 52 exempts ponds constructed and used for agricultural purposes from riparian buffer rules
 - Section 54 repealed some sedimentation and pollution control requirements for increases in vehicular surface areas
 - Section 57 combines the NC Department of Environment and Natural Resources Divisions of Water Quality and Water Resources into one Division
 - Section 58 calls for NC Department of Environment and Natural Resources and NC Department of Transportation to review internal processes for review of applications and plans, including those of delegated programs operated by local governments on behalf of the State
 - Section 59 amends rules for trucks transporting solid waste

City staff worked with the NC League of Municipalities and other local governments in exempting local governments from the requirements of Section 40 requiring Council of State approval prior to purchasing contaminated properties.

City departments are analyzing the impacts of HB 74 upon their operations and the need for potential amendments to City ordinances and rules and regulations.

HB 457 Taxpayer Standing Act (Rep. Blackwell) – Dead

HB 457 would have overturned State judicial rulings that prohibit citizens from suing the government for misusing public funds. It allows an individual or corporation that pays taxes to a taxing jurisdiction of the State to sue the jurisdiction on the grounds that it has violated a constitutional provision or statute by the misuse or misappropriation of public funds or allowance of unlawful tax exemptions, deductions, or credits. It also provides that plaintiffs can seek any appropriate equitable remedy, including injunctive or declaratory relief, as well as a return of any of the misused funds. HB 457 received a favorable report in House committee and was scheduled for a vote on the House floor, but it was re-referred to the House Finance Committee and never again acted upon this year.

Procurement

HB 8 Eminent Domain (Rep. McGrady) – Eligible for Short Session

SB 636 Wildlife Resources Comm. Penalty Changes (Sen. Newton) – Eligible for Short Session

Efforts to amend the North Carolina Constitution to prohibit private property from being taken by condemners except for public use stalled in Senate committee this session. HB 8 is virtually identical to one considered in the 2011 session and, like its predecessor, passed the House but was not acted upon by Senate committee. HB 8 would have required voter approval in the November 2014 general election. SB 636, a bill dealing with boating safety emerged from the House late in the session with the eminent domain language from HB 8 included. SB 636 was not considered in the Senate, and no other eminent domain provisions survived in any other bills this session. Both bills may be considered in the 2014 Short Session.

HB 284 Local Contracts/Local Bidder Preference (Rep. Conrad) – Dead

SB 19 Building Contracts / Local Business Participation (Sen. Bingham) - Dead

HB 284 would have allowed municipalities to award contracts to local bidders if their bid is within 5% or \$10,000 of low bid, whichever is less. To be "local," a bidder would need to have a place of business within municipal limits. HB 284 failed to receive a favorable vote when considered by the House Government Committee. SB 19 would have required bidders to list local businesses it would have utilized on any building project contracts entered into with counties and cities. SB 19 was not considered in Senate committee.

HB 786 NC Reclaim Act (Rep. Warren) – Vetoed by Governor

HB 786 is intended to address a variety of illegal immigration issues. The bill prohibits local governments from entering into contracts unless the contractor and contractor's subcontractors comply with the provisions of Article 2 of Chapter 64 of the General Statutes, which is the E-Verify program to screen new hires, and directs the NC Department of Public Safety to study the potential impact of new laws designed to curb illegal immigration on public safety and the State economy. The Governor vetoed HB 786 due to Section 2(f) amendments that increase the seasonal employee exemption from E-Verify requirements from 90-days to nearly nine months in a calendar year. The Governor believes this increase places legal residents at a disadvantage in the job market.

Public Records

HB 504 Local Electronic Notice (Rep. McGrady) – Dead

SB 186 Notice Publication by Counties and Cities (Sen. Wade) – Dead

SB 287 Notice Publication by Some Local Governments (Sen. Wade) – Eligible for Short Session

All of the above bills would have allowed local governments to publish legally required public notices electronically on their own websites, saving taxpayer money by eliminating the requirement that these notices be published in paid newspaper advertisements. SB 186 would have extended that authority to all local governments statewide, but it never received a hearing. Both SB 287 and HB 504 would have granted electronic notice authority to certain counties and municipalities across the state. Despite intense opposition from the NC Press Association, SB 287 passed the Senate and, along with HB 504, passed a House committee and was scheduled for a vote on the House floor. After a NC Press Association-backed amendment to SB 287 was approved, the bills were referred back to the House Rules Committee. In the final days of the legislative session, SB 287 reemerged from the House Rules Committee as a bill granting electronic notice authority to Guilford County and all the municipalities wholly or partially within the county. After passing the committee, it was again amended on the House floor with the Press Association language, passed the House and sent to a conference committee with the Senate. The conference report that emerged removed the Press Association language and granted electronic notice authority to both Guilford and Mecklenburg counties and all the municipalities wholly or partially within them. The Senate approved that conference report, but it was not acted upon by the House. As a local bill, it would only need a vote of approval from the House in 2014 to become law.

HB 870 Duplin County Boards of Commissioners and Education (Rep. Dixon) – Law SL 2013-320 effective July 23, 2013

HB 870 was originally entitled “Record Closed Sessions of Public Bodies” and applied statewide. Initial versions would have required that closed sessions held by every public body, including municipal governments, be recorded in both sound and video. The bill sponsor agreed to provisions related to the recording of sessions involving attorney-client privilege inserted into the legislative language. The recording of all closed sessions would have hindered economic development activities, impacted full discussion of personnel matters, and infringed upon the ability of local government attorneys to provide legal advice to city councils. Late in the session HB 870 was stripped and converted to a local bill addressing election districts in Duplin County.

SB 125 Public Meeting/Records Law Violations (Sen. Goolsby) – Dead

SB 331 Sunshine Amendment (Sen. Goolsby) – Dead

SB 332 / HB 837 Government Transparency Act (Sen. Goolsby / Rep. Collins) – Dead

These bills would have made changes to state law to promote government transparency. SB 125, the only one to receive a hearing, would have made it a Class 3 misdemeanor to deny access to public records or violate the statutes related to meetings of public bodies. SB 125 was not voted on after Senators expressed concerns that the law punished all violations of the public records and open meetings laws, and that it would increase municipalities' cost of complying with requests for records. SB 331 and HB 837 would have placed before voters a constitutional amendment declaring a constitutional right to access to public records and meetings not specifically exempted. The Government Transparency Act would have established as public records general descriptions of promotions, demotions, suspensions, and performance evaluations of public employees.

Taxes and Fees

HB 30 / SB 260 Repeal Combined Motor Vehicle Registration/Tax System (Rep. Stevens / Sen. Bingham) – Dead

HB 30 and SB 260 would have stopped the implementation of the combined motor vehicle registration and property tax collection system, which is designed to dramatically improve collection of local motor vehicle property taxes by requiring that they be paid along with State assessed registration and renewal fees. Neither bill was heard in committee. However, Section 70 of HB 14 does provide the authority for counties to continue collecting local property taxes on motor vehicles using the “old” system that was in effect as of June 30, 2013.

HB 193 Expand Uses for Mecklenburg County / Charlotte Local Taxes (Rep. Samuelson) – Law SL 2013-26 effective immediately

HB 193 authorizes the City of Charlotte to use funds heretofore collected for Convention Center capital improvements to be utilized for improvements to Bank of America Stadium. A technical amendment was made to SL 2013-26 through Section 16.2 of HB 92 (SL 2013-410) that merely corrects the title of Section 2.

HB 547 Tax & Regulate Video Sweepstakes (Rep. Wray) – Likely Dead

HB 547 was introduced on behalf of the video sweepstakes industry to clear up the status of sweepstakes games by legalizing their operations and placing them under the regulation of the Department of Commerce. The bill would have authorized both State and local taxes on sweepstakes businesses. The proposed local tax would have been below the level that many cities were charging under their own ordinances, and cities would have collected at least \$2 million less than what they collected when sweepstakes were in full operation. No action was taken on the bill.

HB 962 Municipal Sales Tax (Rep. Hamilton) – Dead

HB 962 would have enabled municipalities to levy a sales tax that applies within their corporate limits. No action was taken on the bill, but the Senate leadership did seriously consider providing authority for a municipal sales tax in its version of the tax reform bill. However, they were considering doing so only as an offset to reductions in other municipal revenues.

HB 998 Tax Simplification and Reduction Act (Rep. Lewis) – Law SL 2013-316 effective July 23, 2013 and other various dates

HB 998 is the major tax legislation of the 2013 session. Earlier versions of the bill proposed major tax reform through expansion of the sales tax base and significant changes to business taxes. Local revenues would have been severely reduced under some versions of the bill that were adopted during this process. Edition 4 of HB 998 would have reduced annual municipal revenues by a net of \$164 million. Legislators gave serious consideration to elimination of the privilege license tax and the local government sales tax refund, which would have harmed municipalities. The City of Charlotte opposed Edition 4 as its annual losses of revenues upon full implementation exceeded \$30 million. The final approved version of HB 998 provides municipalities with additional revenues as a result of several changes to the sales tax. State and local sales tax will be applied to service contracts for maintenance/repair of automobiles and goods subject to sales tax, as well as to admissions to movies, live entertainment, and museums. In addition, some sales tax exemptions and the two sales tax holidays will be eliminated.

SB 159 Require Certain General Reappraisals (Sen. Tarte) – Law SL 2013-362 effective July 26, 2013

SB 159 was designed to allow Mecklenburg County to revise "erroneous and inequitable valuations" in its last reassessment. This is a statewide bill, but it is limited to counties where all of the following conditions are met: 1) the county has independent, corroborating evidence that a majority of commercial neighborhoods in the county have significant inequity; 2) the county has independent, corroborating evidence that for evidential neighborhoods, inequity or erroneous data impacted valuation of the neighborhood as a whole; 3) the county's last reappraisal was performed in 2008, 2009, 2010, 2011 or 2012; and 4) independent or corroborating evidence was collected as a result of a review performed by a qualified appraisal company and the review had a sample size of no less than 375 properties.

SB 305 DMV Commission Contract Changes (Sen. Tillman) – Law SL 2013-372 effective July 1, 2013

SB 305 triples the fees that cities and counties pay to private license plate agencies to collect property taxes under the new combined registration and property tax, or Tax & Tag Together, program. SB 305 allows contract registration agents to charge a \$1.06 fee for collecting property tax, a \$1.27 fee for issuing a limited transaction "T" sticker, and \$1.43 for any other additional services. Contract registration agents would not be required to use the revenue received from these additional charges to hire staff to implement the Tax & Tag program. After February 28, 2014, the charge for collecting the property tax would decrease to \$0.71. The bill as written also requires some of these additional fees to be paid on DMV transactions, though legislators have provided assurances that this was inadvertent and will be corrected in 2014.

SB 628 DMV Block Registration/Unpaid Parking Fines (Sen. Wade) – Dead

SB 628 would have required the DMV to block the registration renewal or certification of title of a vehicle, if the DMV has been informed by a city that the vehicle has outstanding parking tickets. The bill did not receive a Senate hearing this session, but the State budget contains a provision which attempts to address issues related to unpaid parking tickets (Section 7.21 of SB 402).

Technical Corrections

HB 14 Revenue Laws Technical, Clarifying & Administrative Changes (Rep. Howard) – Law SL 2013-414 effective immediately or January 1, 2012

HB 14 is the annual measure that makes technical, clarifying and administrative changes to the tax code, as recommended by the Revenue Laws Study Committee. There are no readily identifiable issues in HB 14 of interest to the City of Charlotte.

HB 92 GSC Technical Corrections 2013 (Rep. Blust) – Law SL 2013-410 effective immediately

HB 92 is the annual measure that makes technical corrections to general statutes and session laws, as recommended by the General Statutes Commission, and to make other technical corrections. Section 16.2 made a technical correction to HB 193, the bill that authorized the City of Charlotte to utilize Convention Center funds to make improvements to Bank of America Stadium. Section 38 makes several technical corrections to the Governor's transportation reform package (HB 817).

HB 112 Modifications / 2013 Appropriations Act (Rep. Dollar) – Law 2013-363 effective immediately

HB 112 is the annual measure that makes technical corrections to the State budget. There are no readily identifiable issues in HB 112 of interest to the City of Charlotte.

HB 358 Retirement Technical Corrections (Rep. Moffitt) – Law 2013-288 effective July 1, 2013 and December 1, 2013

HB 358 is the annual measure that makes technical corrections to the State retirement systems. There are no readily identifiable issues in HB 358 of interest to the City of Charlotte.

Unemployment Insurance Reform

HB 4 UI Fund Solvency & Program Changes (Rep. Howard) – SL 2013-2 effective July 1, 2013

HB 4 allows North Carolina private employers to repay a \$2.5 billion debt to the federal government more quickly by raising unemployment taxes on employers and limiting the amount and duration of unemployment benefits claimants can receive. The bill also requires municipalities to maintain a reserve equivalent to 1 percent of their total unemployment insurance taxable wages paid, beginning with Fiscal Year (FY) 14. Four quarterly prepayments designed to build up the reserve will be made during FY 14, but thereafter municipalities would make only an annual payment to replenish the account after claims are deducted. The City of Charlotte's operating budget appropriates \$550,000 in FY 14 to start building this reserve. Municipalities would also no longer have the option of paying 120 percent of claims and requesting noncharging of benefits.

PUBLIC SAFETY

General

HB 186 Towns Enforce Local Ordinances / Lake Norman (Rep. Jeter) – Law SL 2013-317 effective August 19, 2013

HB 186 authorizes the Towns of Huntersville, Cornelius, Davidson, Mooresville and Troutman to enforce municipal noise ordinances and State statutes pertaining to theft and vandalism on the waters of Lake Norman.

HB 348 Public Safety Technology / State Rights-of-Way (Rep. Faircloth) – Eligible for Short Session

HB 348 would have allowed the Department of Transportation to enter into agreements with local governments to allow public safety technology to be placed in rights-of-way of the State highway system. While HB 348 was not considered by the Senate, it is eligible for consideration in the 2014 Short Session.

HB 610 Modify Requirements for In-Stand Beer Sales (Rep. Hardister) – Law SL 2013-83 effective immediately

HB 610 amends the in-stand beer sale requirements at professional sporting events by reducing the minimum seating capacity requirement of stadiums, ballparks, etc., from 60,000 seats to 3,000 seats and eliminating the locality population requirement. Locally, HB 610 appears to extend in-stand beer sales to Time Warner Cable Arena and the new ballpark.

HB 773 Local Governments/Buildings/Structures/Inspections (Rep. W. Brawley) – Eligible for Short Session

HB 773 would amend legislation passed in 2011 further restricting cities' ability to conduct and enforce rental registration and inspection programs. Across the State, nearly a dozen cities use these programs to ensure the adequacy of rental properties in their communities, protecting property values of surrounding properties and quality of life for their citizens. The City of Charlotte opposed this bill as it would have severely disrupted the City's Rental Registration program operated by CMPD that serves as a crime prevention program. HB 773 passed the House, but it did not receive a hearing in the Senate. In the final days of the session, language that would have limited city ability to enforce these programs appeared in HB 92, the general statutes technical corrections bill. However, this language was removed before passage of HB 92.

SB 264 Abate Nuisances/Drug Sales From Stores (Sen. Brown) – Law SL 2013-229 effective July 3, 2013

SB 264 amended the statutes related to municipalities' ability to utilize nuisance abatement authority. The bill permits cities and towns to use this authority for businesses that are the source of regular criminal activity, regardless of whether the activity is the sole purpose of the building or place. SB 264 corrects an issue arising from the State ex rel. City of Salisbury v. Campbell case.

SB 583 Metal Theft Statute Amendments (Sen. Tucker) – SL 2013-169 effective immediately

SB 583 makes changes to the laws covering secondary metals recyclers by requiring that when providing payment in cash that a photograph of the seller be taken.

Animal Control

HB 930 Dog Breeding Standards / Law Enforcement Standards (Rep. Saine) – Eligible for Short Session

HB 930 would have established standards of care for large dog breeding facilities, defined as those with 10 or more female dogs over the age of six months capable of reproduction, as well as penalties for violations. HB 930 passed the House but was not considered by the Senate; however it is eligible for consideration in the 2014 Short Session.

HB 956 Regulate Ownership of Aggressive Dog Breeds (Rep. R. Moore) - Dead

HB 956 would have defined in statute specific breeds of dogs that are considered “aggressive”. The bill then specified requirements for individuals to meet who desire to own an aggressive dog. HB 956 was not heard in Committee.

SB 626 Recodify Animal Shelter Law (Sen. McKissick) – Law SL 2013-377 effective October 1, 2013 and January 1, 2014

SB 626 makes numerous changes to the laws governing animal shelters including adoption of animals, relief of overcrowding, recovery of lost pets, and placement of a cap on reimbursement amounts available through spay/neuter fund, and protection of animals in automobiles.

Firearms

HB 937 Amend Various Firearms Laws (Rep. Schaffer) – Law SL 2013-369 effective June 29, 2013 and October 1, 2013

HB 937 was one of the session’s most controversial pieces of legislation. The bill affected a wide range of statewide gun regulations, and much of the legislative debate focused on how the bill would allow individuals with a concealed carry permit to carry their firearms into places such as college campuses and businesses serving alcohol, and whether sheriffs should continue to issue firearms permits in certain situations. The bill prohibits municipalities from banning firearms on greenways and bike paths, and it also clarifies where cities can regulate guns in parks by further clarifying the definition of “recreational facilities.”

SB 443 Disposition of Abandoned Firearms (Sen. Brock) – Law SL 2013-158 effective immediately

SB 443 makes changes to laws governing how abandoned firearms are disposed and the manner in which the proceeds are utilized.

Towing

HB 626 Notify Law Enforcement of Towed Vehicles (Rep. Moffitt) – Law SL 2013-241 effective December 1, 2013

HB 626 requires that towers of private vehicles promptly notify law enforcement of vehicles towed at the request of a person other than the owner.

SB 8 Increase Fine for Vehicle Removal (Sen. Meredith) – Law SL 2013-190 effective December 1, 2013

SB 8 sets the minimum fine of unauthorized parking on private property at \$150, which is up from a maximum of \$100.

ENVIRONMENTAL & PLANNING

Annexation / Extraterritorial Jurisdiction

HB 79 Annexation Amendment (Rep. Pittman) – Likely Dead

HB 264 Justice for Rural Citizens Act (Rep. Pittman) – Dead

HB 608 ETJ Powers Limited (Rep. Pittman) – Dead

HB 79 would have presented voters with a proposed constitutional amendment to require that any city-initiated annexation must be approved by a two-thirds majority of eligible voters of the annexation area voting on the question at a general election, as opposed to the simple majority of voters found in current law. HB 79 also would have eliminated extraterritorial jurisdictional (ETJ) authority in the State. It was widely opposed because it had the potential to prevent future reasonable changes to annexation statutes, as well as harm economic development efforts by municipalities. HB 79 never received a House committee hearing this session. HB 264, the Justice for Rural Citizens Act would have terminated the use of ETJ authority statewide. Legislation limiting or eliminating ETJ authority has been a critical issue for local governments the last two sessions. HB 264 was never heard in House committee. HB 608 would have prevented municipalities from designating new ETJ areas outside of their corporate limits, but it would have allowed municipalities to maintain control of existing ETJ areas. HB 608 did not receive a House committee hearing.

Environmental

HB 480 Environmental Permitting Reform (Rep. Millis) – Law SL 2013-82 effective June 12, 2013

HB 480 creates a fast-track permitting program for issuance of stormwater permits to individual developments for post-construction controls. In order to implement this program, it directs the NC Environmental Management Commission (EMC) to place into rules a set of minimum design criteria for various stormwater devices. If a device designer sealed the design as complying with those criteria, the design would bypass technical review and receive automatic approval. Throughout consideration of the bill, primary sponsor Rep. Millis stated his intention for the bill to not apply to local government development approval processes. Local governments will be working with the EMC throughout the rulemaking process to achieve an outcome consistent with Rep. Millis' intent.

HB 938 Clarify Wetlands Permitting (Rep. Lewis) – Eligible for Short Session

HB 938 would have clarified that a water quality permit was not required for activities in wetlands that are not water of the United States. While HB 938 was not considered by the Senate, it is eligible for consideration in the 2014 Short Session.

SB 703 Limit Local Regulation of Outdoor Smoking (Sen. Newton) – Dead

SB 703 would have prohibited municipalities from regulating outdoor smoking on public property. The bill would have included city-owned and public properties, such as open air courtyards of municipal buildings, public beaches, and parks. SB 703 did not meet the crossover deadline.

Property Rights

HB 632 Property Owners Protection Act (Rep. Moffitt) – Eligible for Short Session

HB 632 would have established a state policy that “all statutes, ordinances, rules, and regulations that affect the free use of land shall be strictly construed against the government and liberally construed in favor of the free use of land.” It also would have awarded property owner’s attorneys’ fees in any successful challenge to such a statute or ordinance, and prevented local governments from enforcing any penalty against a property owner for a violation not committed by the property owner. HB 632 was converted into a study of these issues before it passed the House. While HB 632 did not receive a hearing in the Senate, it is eligible for consideration in the 2014 Short Session.

HB 664 Cell Tower Deployment Act (Rep. Hager) – Law SL 2013-185 effective June 26, 2013 and October 1, 2013

HB 664 requires cities to approve certain collocation requests within 45 days of the application being completed. Though the original bill’s intent was to conform NC law to federal law, it went beyond what the federal government requires, including limiting fees that may be imposed for third party consultant services. The bill retains municipal authority to block wireless facilities, as well as regulate the siting and modification of collocations, due to public safety and zoning considerations. This is the result of negotiations between local governments and wireless industry representatives.

HB 787 Protect Rural Land Use Rights (Rep. Cleveland) – Dead

HB 787 would classify any government entity as a “condemnor” if it had passed a law or ordinance which limited land use of rural properties for environmental purposes. Affected landowners would have the right to seek compensation for the lost use of property, and if successful would also be awarded attorney and court fees. HB 787 did not reach the floor of the House for debate.

SB 105 Clarify Political Sign Ordinance Authority (Sen. Tillman) – Eligible for Short Session

SB 105, as filed, would have ensured only one set of rules applied to placement of political signs within municipalities. This proposed fix became necessary after a 2011 law resulted in two sets of rules applying within jurisdictions where a city chose to regulate placement of political signs on its streets: (1) the city’s rules, which apply on city-owned roads, and (2) the state’s rules, which apply on state highways within the city’s jurisdiction. However, the bill language approved by the Senate would retain two sets of rules, though it did give municipalities the ability to enforce the state’s rules on state highways within their jurisdiction. This bill remains eligible in the 2014 Short Session.

Zoning

HB 150 Zoning/Design & Aesthetic Controls (Rep. Dollar) – Eligible for Short Session

HB 150, similar to legislation filed in previous legislative sessions, would prevent municipalities from imposing design and aesthetic controls on most one- or two- family dwellings. Among the types of controls that would be prevented would be requirements related to exterior building color, roof style, location of windows and doors, and the number and types of rooms in the house. Municipalities often use these types of requirements to preserve the character of existing neighborhoods and bolster the compatibility of new development. After passing the House, HB 150 was given a favorable report by a Senate committee and scheduled for a vote on the floor. However, before that vote the bill was referred to the Senate Rules Committee, where it stayed for the remainder of the session. HB 150 is eligible for consideration in the 2014 Short Session.

HB 276 Zoning/Board of Adjustment Changes (Rep. Graham) – Law SL 2013-126 effective Oct. 1, 2013

HB 276 revises the statute dealing with Boards of Adjustment based on recommendations made by the Land Use Section of the NC Bar Association. Several areas that bear watching in the future include instances in which enforcement of a land use ordinance is not stayed by the filing of an appeal, the appellant is entitled to an expedited hearing within 15 days of request. This short time window will cause practical difficulties in scheduling a meeting of the Board of Adjustment, providing and posting notice, and preparing for the case. It may also create a disadvantage for neighborhood groups and others interested in the appeal that may need to engage legal counsel to assist them. The law also states that the appellant is not limited to matters stated in the notice of appeal, which may introduce an element of unpredictability to the hearing and may result in insufficient ability to prepare for the hearing. Finally, the law removes the supermajority vote requirement for issuing a special or conditional use permit, though a four-fifths vote is still required for variances.

HB 625 Zoning/Health Care Structure (Rep. Moffitt) – Eligible for Short Session

HB 625 is similar to legislation filed in the 2011 session would have required local governments to permit temporary family health care structures for the physically or mentally impaired in single-family residential areas. The new zoning statute would have classified these structures as a permitted accessory use, under certain conditions, and required their removal within 60 days of ceasing to provide assistance. Local governments worked with bill sponsors, including Rep. Moffitt, to ensure that there were no unintended negative consequences to cities and towns. The bill passed the House but did not make it past the Senate Committee on Finance. However, it is eligible for consideration in the 2014 Short Session.

HB 841 Urban Farms/Zoning Laws Exclusion (Rep. Ramsey) – Dead

HB 841 would have prevented municipalities from applying zoning rules to any property within the corporate limits that is classified as a bona fide farm. Several exclusions to this rule were written into the bill, such as the ability to apply zoning rules in the cases of public safety, health, or environmental protection. This bill would have restricted municipalities' authority over local planning and land use. The bill did not make it out of House committee.

INFRASTRUCTURE

Financing

HB 267 Limit Tolling on Existing Interstates (Rep. Collins) – Eligible for Short Session

HB 267 would have established standards for tolling existing interstate highways. The bill was introduced due to a public outcry over a proposal from NC Department of Transportation to implement tolling on I-95. The cost of rehabilitating I-95 would be very high, necessitating the imposition of additional sources of revenue such as tolls to pay for any such improvements.

HB 857 Public Contracts/Construction Methods/DB/P3 (Rep. Arp) – Law SL 2013-401 effective 30 days after becoming law

HB 857 extends to all local governments the ability to utilize the design-build construction method and public-private partnership (P3) financing. The bill sets out procedures for solicitation of design-build requests for qualifications as well as the requirements for public-private partnership project financing. HB 857 does not appear to impact current P3 authorities of the City of Charlotte.

SB 103 Amend Assessments for Infrastructure Needs (Sen. Hartsell) – Law SL 2013-371 effective June 30, 2013

SB 103 extends the special assessment authority in Article 10 of Chapter 160A until July 1, 2015, which satisfies a legislative initiative of the City of Charlotte. SB 103 also provisions of the Act to allow governing bodies to set the assessment amount based on the use being made of the land and provide for adjustments of assessments upon a change in use, provided that the total amount of all assessments is sufficient to pay the costs of the project after the adjustments have been made. For the purpose of determining whether the petition has been signed by a sufficient number of property owners, if a property is owned by multiple owners, each owner shall have a vote equal to a proportionate share of vote or value assigned to the property. This financing vehicle is being considered locally for the Red Line Commuter Rail project.

Transportation Planning

HB 192 Allow ROW Usage in Central Business Districts (Rep. Shepherd) – Law SL 2013-266 effective immediately

HB 192 authorizes the use of State rights-of-way in central business districts, consistent with certain standards to ensure the public safety, for sidewalk dining. Local governments must adopt ordinances addressing such activities within the state rights-of-way. Staff from CDOT was instrumental in drafting the initial versions of the bill that incorporated the experience the City has accumulated in allowing the use of local rights-of-way for sidewalk dining.

HB 378 Study Oversight of MPOs/RPOs (Rep. Floyd) – Eligible for Short Session

HB 378 would have established a study committee to examine the role of metropolitan and rural planning organizations in transportation planning. While HB 378 passed the House, it was not considered by the Senate. However, it is eligible for consideration in the 2014 Short Session.

HB 817 Strategic Transportation Investments (Rep. W. Brawley) – Law SL 2013-183 effective multiple dates

HB 817, a major initiative of Governor McCrory, redistributes existing transportation funds derived from the State's Highway Trust Fund and certain federal revenues among the various regions of the State. Forty percent of funds will go to projects of statewide significance, 30 percent to regional projects, and 30 percent to projects at the transportation division level. Projects will be selected for funding through a combination of data-driven criteria and local input. The NC Department of Transportation is currently working on project selection criteria and how local input is to be structured. This law also eliminates the Highway Trust Fund supplement to Powell Bill funds, tying future Powell Bill funding more closely to gasoline consumption.

Utilities

HB 476 Rewrite Underground Damage Prevention Act (Rep. Hager) – Law SL 2013-407 effective October 1, 2014

SB 9 Utilities/Design/Survey Location Services (Sen. Meredith) – Law SL 2013-142 effective July 15, 2013

This pair of bills affects procedures followed by utilities pursuant to the state's underground digging laws. These laws are also known as the "811" laws named after the "call before you dig" phone number excavators must dial to notify utilities of planned digging activities. SB 9 addresses requests for utility line location for design activities such as surveying, rather than planned digging activities. While the proposal originally circumvented a more comprehensive overhaul of the state's underground digging laws (HB 476), the final language now aligns with HB 476.

The version of HB 476 approved by the General Assembly represents the culmination of months of negotiations between representatives of local governments, contractors and other excavators, and utilities with underground lines such as natural gas, electricity, and cable. This compromise legislation would require all cities and towns with underground utilities subject to the act to join the NC 811 notification center. However, the bill would exempt cities from the requirement to mark – or provide a "locate" – for all gravity-fed wastewater lines installed prior to the law's effective date, and all stormwater facilities. It also contains a section assigning enforcement responsibilities to an oversight board. The NC Utilities Commission would take responsibility for assessing penalties for violations of the laws. A staff member from CDOT participated in the negotiations representing the local government position.

HB 488 Regionalization of Public Utilities (Rep. Moffitt) – Law SL 2013-50 effective May 15, 2013

HB 488 is commonly known as the "Asheville water law." This is a statewide bill requiring the assets of public utilities to be transferred to the control of a Metropolitan Water and Sewerage district once they meet certain criteria. As written, the bill would currently only affect the City of Asheville's water system. Soon after the bill became law the City of Asheville went to court and received a temporary restraining order preventing the transfer of control of the utility. However, after the City's lawsuit, language that would have deleted certain portions of HB 488 already passed into law appeared in SB 341, potentially applying the law to utilities in the City of Greenville.

SB 341 Amend Interbasin Transfer Law (Sen. Rabon) – Law SL 2013-388 effective immediately

SB 341 makes incremental changes to the state's interbasin transfer (IBT) laws. These changes included allowing IBT daily withdrawals at a rate of three million gallons/day, while ultimately calculating the withdrawals on a monthly basis to ensure ease of measurements. This proposal also spelled out the process for modification of IBT certificates. Unrelated to the IBT provisions, later versions of the bill included a provision related to previously-passed legislation transferring control of the City of Asheville's water system to a regional authority (HB 488). Originally, this provision threatened to pull the City of Greenville into a similar mandated water system transfer, but legislators amended the bill on the House floor with the intent of ensuring that the Asheville legislation would not apply to Greenville.

SB 634 Increase Penalties/Utilities (Sen. Newton) – Law SL 2013-88 effective December 1, 2013

SB 634 increases penalties, including criminal penalties, for persons who tamper with or otherwise damage water and wastewater management equipment, including meters. It also instituted penalties for persons who reconnected water connections unlawfully when they have been disconnected by the utility provider. This law strengthened the ability of municipal water and wastewater utilities to address illegal tampering and connections in their systems.

ECONOMIC DEVELOPMENT

HJ 55 Reform Workforce Development (Rep. Howard) – Eligible for Short Session

HJ 55 is a nonbinding resolution expressing the sense of the General Assembly that local workforce investment board boundaries be realigned with those of the various Councils of Government. Under this proposal, the local workforce investment board serving Mecklenburg County, Charlotte Works, would be merged with all the other workforce investment boards in the area served by the Centralina Council of Governments. The proposed realignment was recommended by the General Assembly's Program Evaluation Division and endorsed by the Program Evaluation Oversight Committee. HJ 55 passed the House but was not considered in Senate committee. However, it is eligible for consideration in the 2014 Short Session

HB 356 Customer Service, Economic Development, and Transportation (Rep. Moffitt) – Dead

SB 127 Economic Development Modifications (Sen. Brown) – Eligible for Short Session

In their original forms, both SB 127 and HB 356 would have taken steps to realign the boundaries of the state's environment, transportation, and economic development regional offices into seven regions. The three agencies would have also begun to share regional office space, offer one-stop services, and utilize shared support staff. HB 356 did not advance. SB 127, however, eventually became a vehicle for a separate measure backed by Gov. McCrory to authorize the NC Department of Commerce to outsource economic development functions through the use of a public-private partnership. After passing the House and Senate in different forms, SB 127 was assigned to a conference committee. Knowing the backing that SB 127 had, legislators attempted to add controversial provisions related to the state's hydraulic fracturing industry to the conference report. However, the SB 127 conference report was not approved by both the House and Senate. While SB 127 did not pass, it remains eligible for consideration in the 2014 Short Session. Furthermore, Section 15.7A of the State budget authorizes the NC Department of Commerce to establish a public-private partnership of the type contemplated in SB 127.

HB 439 Economic Development Jobsites Program (Rep. Howard) – Law SL 2013-130 effective June 19, 2013 and July 1, 2013

HB 439 attempts to promote the development of large tracts of vacant land by making site infrastructure land a special class of property that is eligible for deferred taxation, the same as agricultural lands under G.S. 105-277.3 and G.S. 105-277.4. Site infrastructure land would be defined as 100 contiguous acres, zoned for industrial or office use, a building permit must not have been issued for the land, no primary structure can be present on the land, and finally the land must be classified for agricultural use value when the classification is sought.

HB 994 Make Film Credit Nonrefundable (Rep. Luebke) – Likely Dead

HB 994 would have substantially changed the film production credit program in such a way to make fewer filmmakers eligible and thus, leading to fewer film productions in North Carolina. HB 994 was never heard in Committee.

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**2013 "LONG" SESSION LEGISLATION OF INTEREST
ENACTED INTO LAW**

Bill #	Description	Department
HB 4	UI Fund Solvency & Program Changes.	HR
HB 14	Rev Laws Technical, Clarifying, & Admin. Chg.	FINANCE
HB 15	Various Emergency Management Changes.	CMPD CFD
HB 19	Respect our Fallen Heroes.	CMPD
HB 24	DV/Abuser Treatment Program/Amendments.	CMPD
HB 74	Regulatory Reform Act of 2013.	E&PM N&BS CMUD CATS CMPD CFD PLANNING CDOT SS SOLID WASTE
HB 75	Kilah's Law/Increase Child Abuse Penalties.	CMPD
HB 92	GSC Technical Corrections 2013.	CDOT CATS FINANCE
HB 110	Public Contracts/Project Labor.	SS E&PM CATS
HB 112	Modifications/2013 Appropriations Act.	FINANCE BUDGET
HB 125	Public Agency Computer Code Not Public Record.	SS
HB 142	Provide Access to Campus Police Records.	CMPD
HB 149	Caylee's Law/Report Missing Children.	CMPD
HB 157	Limit Use of Highway Fund Credit Balance.	CDOT
HB 180	Mechanics Liens/Technical Corrections.	E&PM
HB 186	Towns Enforce Noise Ordinances/Lake Norman.	CMPD
HB 192	Allow ROW Usage in Central Business Districts.	CDOT
HB 193	Expand Uses for Meck Ct/Charlotte Local Taxes.	FINANCE

Bill #	Description	Department
HB 209	DV Orders/Findings Not Required.	CMPD
HB 248	Taxpayer Debt Information Act.	FINANCE
HB 276	Zoning/Board of Adjustment Changes.	PLANNING
HB 279	Transfer Environmental Permits.	E&PM
HB 301	Clarifying Changes/Engineers/Surveyors Laws.	E&PM
HB 327	Fire and Rescue Pension Revisions of 2013.-AB	HR FINANCE CFD
HB 345	Increase Penalties for Misuse of 911 System.	CMPD
HB 357	Retirement Governance Changes Act of 2013.-AB	HR FINANCE
HB 358	Retirement Technical Corrections.-AB	HR FINANCE
HB 359	Retirement Administrative Changes Act of 2013.	HR
HB 361	Justice Reinvestment Technical Corrections.-AB	CMPD
HB 362	Dept. of Public Safety Changes.-AB	CMPD CFD
HB 396	Enact Private Well Water Education Act.-AB	CMUD
HB 439	Economic Development Jobsites Program.	FINANCE
HB 456	DV Fatality Review Team/Mecklenburg Co.	CMPD
HB 476	Rewrite Underground Damage Prevention Act.	CMUD CDOT
HB 480	Environmental Permitting Reform.	E&PM
HB 488	Regionalization of Public Utilities.	CMUD
HB 532	No Drinking in EMS & Law Enforcement Vehicles.	CMPD CFD
HB 552	Remove Area from County Service District.	FINANCE
HB 610	Modify Requirement for In-Stand Beer Sales	CMPD
HB 626	Notify Law Enforcement of Towed Vehicles.	CMPD
HB 646	Airports Exempt From Local Tree Ordinances.	N&BS
HB 656	Forfeiture for Speeding to Elude Revisions.	CMPD
HB 664	Cell Tower Deployment Act.	PLANNING
HB 684	Increase Driveway Safety on Curvy Roads.	CDOT
HB 700	Omnibus State IT Governance Changes.	SS
HB 710	Water Utility Recovery.	CMUD
HB 743	UI Laws Administrative Changes.	HR
HB 774	Building Code Exclusion/Primitive Structures.	PLANNING

Bill #	Description	Department
HB 785	Cost-Sharing/Transportation Improvements.	CDOT
HB 786	NC RECLAIM Act <ul style="list-style-type: none"> • Vetoed by Governor • To be reconsidered on September 3 	E&PM N&BS CATS SS AIRPORT CMPD
HB 788	Water/Sewer Authority/Rate Flexibility.	CMUD
HB 817	Strategic Transportation Investments.	CDOT PLANNING CATS
HB 829	Sale of Growlers by Certain ABC Permittees.	CMPD
HB 834	Modern State Human Resources Management/RTR.	HR
HB 857	Public Contracts/Construction Methods/DB/P3.	E&PM CATS AIRPORT
HB 937	Amend Various Firearms Laws.	CMPD
HB 998	Tax Simplification and Reduction Act.	FINANCE BUDGET
SB 8	Increase Fine for Vehicle Removal.	CMPD
SB 9	Utilities/Design/Survey Location Services.	E&PM CMUD
SB 24	Construction/Demolition Landfill Siting.	PLANNING
SB 36	APA Technical/Clarifying Chges.	CITY ATTORNEY
SB 44	Workers Comp Coverage/Public Records.	HR
SB 73	Local Workforce Dev./Dislocated Workers.	N&BS
SB 81	Charlotte Regional Airport Authority	CMO CITY ATTORNEY FINANCE
SB 97	Property Tax/Deannexation.	FINANCE
SB 103	Amend Assessments for Infrastructure Needs.	CATS
SB 124	Shoot Gun Inside/To Incite Fear.	CMPD
SB 159	Require Certain General Reappraisals.	FINANCE
SB 174	Disapprove Industrial Commission Rules.	HR
SB 207	Maintaining Water & Sewer Fiscal Health.	CMUD
SB 211	Cities/Public Nuisance Notice.	N&BS
SB 264	Abate Nuisances/Drug Sales From Stores.	CMPD

Bill #	Description	Department
SB 305	DMV Commission Contract Charges	FINANCE
SB 315	Municipal Services	PLANNING CMUD
SB 341	Amend Interbasin Transfer Law.	CMUD
SB 344	Vintage Auto Inspections.	CMPD
SB 353	Health & Safety Law Changes	HR
SB 380	Charlotte Douglas Int'l Airport Commission.	CMO CITY ATTORNEY FINANCE
SB 402	Appropriations Act of 2013.	FINANCE BUDGET CATS CMPD E&PM N&BS
SB 411	Ethics Requirements for MPOs/RPOs.	CDOT PLANNING CATS
SB 420	UI Laws Administrative Changes.	HR
SB 443	Disposition of Abandoned Firearms.	CMPD
SB 470	No Beer/Wine if Permit Revoked or Suspended.	CMPD
SB 490	Exclude Custom Software from Property Tax.	FINANCE
SB 505	Clarify Agricultural Zoning.	PLANNING
SB 520	WC/Record Full IC Hearings.	HR
SB 547	Energy Savings Contracting Amendments.	CMO/ENERGY
SB 583	Metal Theft Statute Amendments.	CMPD
SB 626	Recodify Animal Shelter Law.	CMPD
SB 630	Evidence & DNA Expunction Laws.-AB	CMPD
SB 634	Increase Penalties/Utilities Theft.	CMUD
SB 659	MAP 21 Conforming Revisions.-AB	CMPD
SB 683	Safe Harbor/Victims of Human Trafficking.	CMPD
SB 717	MV Safety Inspector/MV Licensing Law Changes.	CMPD