A BILL TO BE ENTITLED
AN ACT TO INCREASE LIMITS ON PUBLIC EMPLOYEES BENEFITTING FROM PUBLIC CONTRACTS; TO MAKE AMENDMENTS TO THE 2018 NORTH CAROLINA BUILDING CODE AND PLUMBING CODE; TO STUDY ONLINE CONTINUING EDUCATION REQUIREMENTS; TO PERMIT TEMPORARY EVENT VENUES IN CERTAIN CIRCUMSTANCES; TO PROVIDE ADDITIONAL NOTICE FOR NC PRE-K SCHOOL OPTIONS; TO AUTHORIZER THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO PROVIDE PUBLIC APPROVAL FOR PRIVATE ACTIVITY BONDS; TO CLARIFY LANDFILL LIFE-OF-SITE FRANCHISE REQUIREMENTS; TO REPURPOSE PRE-REGULATORY LANDFILL FUNDS; TO REQUIRE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO STUDY EXPRESS PERMITTING EXPANSION; TO AMEND WASTEWATER RESERVE PRIORITY TO PRIORITIZE PROJECTS THAT IMPROVE DESIGNATED IMPAIRED WATERS OF THE STATE AND SERVE AS A PUBLIC WATER SUPPLY FOR A LARGE PUBLIC WATER SYSTEM; TO ALLOW USE OF FLOOD HAZARD AREAS FOR AQUACULTURE IN CERTAIN CIRCUMSTANCES; TO AMEND THE ARCHITECTURAL LICENSE EXCEPTION FOR SMALL PROJECTS; TO REQUIRE THE DEPARTMENT OF REVENUE TO STUDY REVENUE LAWS; TO CLARIFY REQUIREMENTS FOR BROADBAND EASEMENTS; TO PROHIBIT CERTAIN REQUIREMENTS FOR INSTALLATION OF MANUFACTURED HOMES; TO ALLOW FOR ISSUANCE OF LIMITED REGISTRATION PLATES IN CERTAIN SITUATIONS; TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY SALVAGE TITLES; TO REQUIRE THE DIVISION OF EMERGENCY MANAGEMENT TO STUDY FIRST RESPONDER ACCESS TO THE INTERSTATE SYSTEM; TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE NORTH CAROLINA BOARD OF ARCHITECTURE; TO CLARIFY PROOF OF MAILING FOR CANCELLATION OF CERTAIN INSURANCE POLICIES; TO REQUIRE ADDITIONAL NOTICE BEFORE STATE OF EMERGENCY DECLARATIONS TAKE EFFECT; TO MAKE CONFIDENTIALITY CHANGES FOR CERTAIN DOCUMENTS OBTAINED IN A SECURITIES INVESTIGATION; TO ALLOW SELF-INSURERS TO MAKE PAYMENTS FOR INITIAL ASSESSMENTS OVER A PERIOD; TO DELAY THE PAYMENT DEADLINE FOR CERTAIN ABC PERMIT RENEWALS; TO AMEND CERTAIN CHARTER SCHOOL REPORT DATE; TO ALLOW A TEACHING
HOSPITAL AFFILIATED WITH BUT NOT PART OF ANY CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA TO ASSIGN CAMPUS POLICE OFFICERS OF ITS CAMPUS LAW ENFORCEMENT AGENCY TO ANY OTHER FACILITY WITHIN THE TEACHING HOSPITAL’S SYSTEM NETWORK; TO AUTHORIZE LOCAL CONFINEMENT FACILITIES TO PROVIDE AND USE WIRELESS COMMUNICATION DEVICES; TO MAKE A CLARIFICATION REGARDING SUBMISSION OF CERTAIN COMPONENT DESIGNS OR PROPOSALS; TO PROVIDE FOR LICENSURE OF MOBILE BEAUTY SALONS AND ENSURE THE SAFE AND HYGIENIC OPERATION THEREOF; TO EXTEND SUNSET ON REMOTE NOTARY AND VIDEO WITNESSING AUTHORIZATION; TO ALLOW THE DIVISION OF COASTAL MANAGEMENT TO ACCEPT ELECTRONIC PAYMENTS; TO CHANGE MINE RECLAMATION REPORTING DATES; TO CHANGE SOLID WASTE REPORTING DATES; TO MAKE TECHNICAL AND CONFORMING CHANGES TO SOLID WASTE STATUTES; TO CONSOLIDATE RIVER BASIN ADVISORY COMMISSION REPORTS; TO CLARIFY ELECTRONIC PERMITTING NOTICE REQUIREMENTS FOR THE ENVIRONMENTAL MANAGEMENT COMMISSION; TO ALLOW NONBETTERMENT COST RECOVERY FOR CERTAIN PRIVATE WATER AND SEWER SYSTEMS; TO MAKE A CHANGE TO IMPLEMENTATION OF AN UNDERGROUND STORAGE TANK SPILL BUCKET RULE; TO PREVENT FROM BECOMING EFFECTIVE RULES MODIFYING THE NORTH CAROLINA BUILDING CODE; TO MAKE CERTAIN LIBRARY STATUTE CHANGES; TO PROVIDE CLARIFICATION REGARDING THE RECOVERY OF ABANDONED AND DERELICT VESSELS; TO MAKE A CONFORMING CHANGE TO LOCAL PLANNING AND DEVELOPMENT REGULATION; AND TO RESTORE A CORPORATE CHARTER SUSPENDED BY TAX NONCOMPLIANCE UNDER INSTALLMENT AGREEMENT.

The General Assembly of North Carolina enacts:

PART I. VARIOUS REGULATORY REFORM PROVISIONS

INCREASE LIMITS ON PUBLIC EMPLOYEES BENEFITTING FROM PUBLIC CONTRACTS

SECTION 1.(a) G.S. 14-234 reads as rewritten:

§ 14-234. Public officers or employees benefiting from public contracts; exceptions.

…

d1) Subdivision (a)(1) of this section does not apply to (i) any elected official or person appointed to fill an elective office of a village, town, or city having a population of no more than 15,000 according to the most recent official federal census, (ii) any elected official or person appointed to fill an elective office of a county within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, (iii) any elected official or person appointed to fill an elective office on a city board of education in a city having a population of no more than 15,000 according to the most recent official federal census, (iv) any elected official or person appointed to fill an elective office as a member of a county board of education in a county within which there is located no village, town or city with a population of more than 15,000 according to the most recent official federal census, (v) any physician, pharmacist, dentist, optometrist, veterinarian, or nurse appointed to a county social services board, local health board, or area mental health, developmental disabilities, and substance abuse board serving one or more counties within which there is located no village, town, or city with a population of more than 15,000 according to the most recent official federal census, and (vi) any member of the board of directors of a public hospital if all of the following apply:
(1) The undertaking or contract or series of undertakings or contracts between the village, town, city, county, county social services board, county or city board of education, local health board or area mental health, developmental disabilities, and substance abuse board, or public hospital and one of its officials is approved by specific resolution of the governing body adopted in an open and public meeting, and recorded in its minutes and the amount does not exceed twenty thousand dollars ($20,000) for medically related services and forty thousand dollars ($40,000) sixty thousand dollars ($60,000) for other goods or services within a 12-month period.

(2) The official entering into the contract with the unit or agency does not participate in any way or vote.

(3) The total annual amount of contracts with each official, shall be specifically noted in the audited annual financial statement of the village, town, city, or county.

(4) The governing board of any village, town, city, county, county social services board, county or city board of education, local health board, area mental health, developmental disabilities, and substance abuse board, or public hospital which contracts with any of the officials of their governmental unit shall post in a conspicuous place in its village, town, or city hall, or courthouse, as the case may be, a list of all such officials with whom such contracts have been made, briefly describing the subject matter of the undertakings or contracts and showing their total amounts; this list shall cover the preceding 12 months and shall be brought up-to-date at least quarterly.

...”

SECTION 1. (b) This section is effective when it becomes law and applies to contracts executed on or after that date.

AMENDMENTS TO THE 2018 NORTH CAROLINA BUILDING CODE AND PLUMBING CODE


SECTION 2. (b) Section 2902.6 of the Building Code and Table 403.1 of the Plumbing Code. – Until the effective date of the revised permanent rules that the Building Code Council is required to adopt pursuant to subsection (d) of this section, the Council shall implement the applicable requirements of Section 2902.6 of the Building Code and Table 403.1 of the Plumbing Code, as provided in subsection (c) of this section.

SECTION 2. (c) Implementation. – The Council shall (i) not require drinking fountains for an occupant load of 30 or fewer, (ii) only require one water closet for business occupancies with an occupant load of 30 or fewer, and (iii) not require a service sink for business and mercantile occupancies with an occupant load of 30 or fewer.

SECTION 2. (d) Additional Rule-Making Authority. – The Council shall adopt rules to amend Section 2902.6 of the Building Code and Table 403.1 of the Plumbing Code consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rules adopted by the Council, pursuant to this section, shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by G.S. 150B-21.3(b2).
SECTION 2.(e) Sunset. – This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

STUDY ONLINE CONTINUING EDUCATION REQUIREMENTS

SECTION 3.(a) Every occupational licensing board as defined in Chapter 93B of the General Statutes shall study and report on any available options offered for online continuing education if continuing education is a requirement for licensure under the occupational licensing board's applicable laws or regulations. The study and report shall include:

(1) A list and description of every option for continuing education made available to each licensee, including every traditional method, and every online method, if any are offered. If no online methods are offered, a detailed explanation as to why none are offered, which shall include any logistical, cost, legal, or other concerns.

(2) The approximate number of offerings made available for each method and the cost associated with each offering. The cost shall include a description of the fees charged to the licensee for the continuing education and the associated cost to the occupational licensing board for providing the continuing education offering.

(3) A description of how each method of continuing education offered is accessed by the licensee.

SECTION 3.(b) Each occupational licensing board required to study and report under subsection (a) of this section shall provide its report to the Joint Legislative Administrative Procedure Oversight Committee and the Program Evaluation Division no later than December 1, 2020.

TEMPORARY EVENT VENUES

SECTION 4.(a) Part 3 of Article 18 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-341.4. Temporary event venues authorized.
A county may, by ordinance, establish a process to permit temporary event venues using the procedure prescribed in G.S. 160A-383.6."

SECTION 4.(b) Part 3 of Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

(a) A city may, by ordinance, establish a process to permit temporary event venues as provided in this section. A temporary event venue shall be defined as an existing publicly or privately owned building or structure suitable for use as a site for public or private events relating to entertainment, education, marketing, meetings, sales, trade shows, and any other activities or occasions that the city may, by ordinance, authorize. A temporary event shall be one lasting no longer than 72 hours.

(b) A city may consider a temporary event venue as a permitted accessory use in any of its zoning districts. Enactment of a temporary event venue ordinance and issuance of a temporary event permit under this section shall not be considered a zoning map amendment under this Article.

(c) Only one temporary event venue shall be allowed on a lot or parcel of land. The temporary event venue permitted under this section shall not require a special use permit or be subjected to any other local zoning requirements beyond those imposed upon other authorized accessory use structures, except as otherwise provided in this section. Except as provided in subsection (h) of this section, for each temporary event venue issued a permit under this section, no more than 24 temporary events may be conducted in a calendar year.

(d) An ordinance authorizing temporary event venues shall set forth the following:
The zoning districts within which a temporary event venue may lie.

The process a person seeking a temporary event venue permit, or its renewal, must follow.

The specific criteria to be considered by the city when determining whether to issue a temporary event venue permit. The criteria shall include the character of the district in which the permit is sought and the site's suitability for use as a temporary event venue.

The temporary events, not inconsistent with subsection (a) of this section, authorized in the venue.

The duration of the temporary event venue permit.

Any capacity limitations of the temporary event venue.

The fee structure for the fees authorized by this section.

Any other relevant matters.

(e) Any person proposing to operate a temporary event venue shall first obtain a permit from the city. The issuance of a temporary event venue permit shall not be considered a quasi-judicial act. The city may charge a fee of up to one hundred dollars ($100.00) for the initial permit and an annual renewal fee of up to fifty dollars ($50.00). Before issuing or renewing a temporary event venue permit, a city shall conduct an inspection of the proposed temporary event venue to ensure that the health, safety, and welfare of the public will not be impaired by attendance at or participation in a temporary event. The inspection shall address the general structural stability of the temporary event venue, its fire safety, and whether it has sufficient toilet facilities taking into consideration its capacity.

(f) Subject to the provisions of this subsection, a city may require the permit applicant to take reasonable measures to address any safety or public health concerns raised by the inspection conducted under subsection (e) of this section. No permit shall be required under the North Carolina State Building Code or any local variant approved under G.S. 143-138(e) for any construction, installation, repair, replacement, or alteration of a temporary event venue either required by the city as a result of the inspection conducted under subsection (e) of this section or undertaken by the permittee to otherwise improve the temporary event venue. A city may require use of temporary toilet facilities at temporary events. Nothing in this section shall be construed to exempt a temporary event venue from compliance with federal laws, rules, or regulations.

(g) The Building Code Council shall create an inspection checklist that may be used by counties and cities for inspections conducted under subsection (e) of this section. Nothing shall prohibit counties and cities from conducting inspections and issuing temporary event venue permits prior to promulgation by the Building Code Council of the checklist.

(h) Nothing shall preclude a permittee operating under a temporary event venue permit from seeking a rezoning of the parcel to a zoning district that would allow a permitted use of the venue for events of the type authorized by a temporary event permit. Any such rezoning application would be subject to the requirements of this Article. If a rezoning application is submitted in good faith, a city may authorize the temporary event venue to hold more than 24 temporary events in one calendar year while the rezoning is pending. If the temporary event venue is rezoned, the temporary event venue permit shall become void and the venue shall operate under all rules, regulations, and requirements of law, including the North Carolina State Building Code, any local variant under G.S. 143-138(e), and city ordinances."

SECTION 4.(c) G.S. 143-138 reads as rewritten:


..."

(b21) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160A-383.6."
..."

SECTION 4.(d) G.S. 160A-383.1 is amended by adding a new subsection to read:
"(b1) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160A-383.6."

SECTION 4.(e) This section becomes effective October 1, 2020, and applies to counties with a population larger than 250,000.

SECTION 4A.(a) Part 1 of Article 9 of Chapter 160D of the General Statutes is amended by adding a new section to read:

§ 160D-915.1. Temporary event venues authorized.
(a) A local government may, by ordinance, establish a process to permit temporary event venues as provided in this section. A temporary event venue shall be defined as an existing publicly or privately owned building or structure suitable for use as a site for public or private events relating to entertainment, education, marketing, meetings, sales, trade shows, and any other activities or occasions that the local government may, by ordinance, authorize. A temporary event shall be one lasting no longer than 72 hours.
(b) A local government may consider a temporary event venue as a permitted accessory use in any of its zoning districts. Enactment of a temporary event venue ordinance and issuance of a temporary event permit under this section shall not be considered a zoning map amendment under this Article.
(c) Only one temporary event venue shall be allowed on a lot or parcel of land. The temporary event venue permitted under this section shall not require a special use permit or be subject to any other local zoning requirements beyond those imposed upon other authorized accessory use structures, except as otherwise provided in this section. Except as provided in subsection (h) of this section, for each temporary event venue issued a permit under this section, no more than 24 temporary events may be conducted in a calendar year.
(d) An ordinance authorizing temporary event venues shall set forth the following:
(1) The zoning districts within which a temporary event venue may lie.
(2) The process a person seeking a temporary event venue permit, or its renewal, must follow.
(3) The specific criteria to be considered by the local government when determining whether to issue a temporary event venue permit. The criteria shall include the character of the district in which the permit is sought and the site’s suitability for use as a temporary event venue.
(4) The temporary events, not inconsistent with subsection (a) of this section, authorized in the venue.
(5) The duration of the temporary event venue permit.
(6) Any capacity limitations of the temporary event venue.
(7) The fee structure for the fees authorized by this section.
(8) Any other relevant matters.
(e) Any person proposing to operate a temporary event venue shall first obtain a permit from the local government. The issuance of a temporary event venue permit shall not be considered a quasi-judicial act. The local government may charge a fee of up to one hundred dollars ($100.00) for the initial permit and an annual renewal fee of up to fifty dollars ($50.00). Before issuing or renewing a temporary event venue permit, a local government shall conduct an inspection of the proposed temporary event venue to ensure that the health, safety, and welfare of the public will not be impaired by attendance at or participation in a temporary event. The inspection shall address the general structural stability of the temporary event venue, its fire safety, and whether it has sufficient toilet facilities taking into consideration its capacity.
Subject to the provisions of this subsection, a local government may require the permit applicant to take reasonable measures to address any safety or public health concerns raised by the inspection conducted under subsection (e) of this section. No permit shall be required under the North Carolina State Building Code or any local variant approved under G.S. 143-138(e) for any construction, installation, repair, replacement, or alteration of a temporary event venue either required by the local government as a result of the inspection conducted under subsection (e) of this section or undertaken by the permittee to otherwise improve the temporary event venue. A local government may require use of temporary toilet facilities at temporary events. Nothing in this section shall be construed to exempt a temporary event venue from compliance with federal laws, rules, or regulations.

The Building Code Council shall create an inspection checklist that may be used by counties and cities for inspections conducted under subsection (e) of this section. Nothing shall prohibit counties and cities from conducting inspections and issuing temporary event venue permits prior to promulgation by the Building Code Council of the checklist.

Nothing shall preclude a permittee operating under a temporary event venue permit from seeking a rezoning of the parcel to a zoning district that would allow a permitted use of the venue for events of the type authorized by a temporary event permit. Any such rezoning application would be subject to the requirements of this Article. If a rezoning application is submitted in good faith, a local government may authorize the temporary event venue to hold more than 24 temporary events in one calendar year while the rezoning is pending. If the temporary event venue is rezoned, the temporary event venue permit shall become void and the venue shall operate under all rules, regulations, and requirements of law, including the North Carolina State Building Code, any local variant under G.S. 143-138(e), and local government ordinances."

SECTION 4A.(b) G.S. 143-138(b21), as enacted by Section 4(c) of this act, reads as rewritten:
"(b21) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160A-383.6-G.S. 160D-915.1."

SECTION 4A.(c) G.S. 160D-910 is amended by adding a new subsection to read:
"(b1) Exclusion for Temporary Event Venues. – No permit shall be required under the North Carolina State Building Code or any local variant approved under subsection (e) of this section for any construction, installation, repair, replacement, or alteration of a temporary event venue issued a temporary event venue permit under G.S. 160D-915.1."

SECTION 4A.(d) This section is effective when Chapter 160D of the General Statutes becomes effective and applies to counties with a population larger than 250,000.

NC PRE-K SCHOOL OPTIONS
SECTION 5.(a) The Division of Childhood Development and Early Education of the Department of Health and Human Services shall post the following information on its Web site:

(1) The educational opportunities for kindergarten offered by local school administrative units.

(2) The educational opportunities for kindergarten offered by charter schools.

(3) Scholarships for enrollment in nonpublic schools provided pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes, or any successor program.

This information shall be indexed or searchable by county, and the Division shall update the information on June 1 each year.
Facilities participating in the NC Pre-K program shall provide to all families the address of the Web site where the information can be found and a brief description of the information available. Upon request, a facility participating in the NC Pre-K program must furnish to a family a list of the following educational opportunities located in the same county as the NC Pre-K facility, or, if specified, any other county:

(1) The educational opportunities for kindergarten offered by local school administrative units.

(2) The educational opportunities for kindergarten offered by charter schools.

(3) Scholarships for enrollment in nonpublic schools provided pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes, or any successor program.

SECTION 5.(b) This section becomes effective January 1, 2021.

PUBLIC APPROVAL FOR PRIVATE ACTIVITY BONDS

SECTION 5A. Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-218.37. Public approval for private activity bonds."

(a) For purposes of this section, the following definitions shall apply:

(1) Charter school facility. – Real property, personal property, or both that is used or intended for use in connection with the operation of a charter school.

(2) Applicable elected representative. – An elected official of a governmental unit having jurisdiction over the area in which a charter school facility is located, as defined in section 147(f)(2) of the Internal Revenue Code (26 U.S.C. § 147(f)(2)).

(b) The Superintendent of Public Instruction is hereby designated as an applicable elected representative who may approve the issuance of one or more private activity bonds to finance or refinance a charter school facility, after a public hearing following reasonable public notice, in accordance with section 147(f) of the Internal Revenue Code (26 U.S.C. § 147(f)) and applicable State and federal laws and regulations. Procedures for the public hearing shall be determined by the Superintendent of Public Instruction, and the public hearing shall be conducted by the Superintendent, or his or her designee, in the county where the charter school facility is or will be located."

CLARIFY LANDFILL LIFE-OF-SITE FRANCHISE REQUIREMENTS

SECTION 6. G.S. 130A-294(a4) reads as rewritten:

"(a4) In order to preserve long-term disposal capacity, a life-of-site permit issued for a sanitary landfill shall survive the expiration of a local government approval or franchise, and the local government shall allow the sanitary landfill to continue to operate until the term of the landfill’s life-of-site permit expires provided that the owner or operator has complied in substantial compliance with the terms of the local government approval or franchise agreement, and remains in compliance with those terms after expiration of the approval or agreement until the life-of-site permit has expired. Agreement. In order to preserve any economic benefits included in the franchise, the County may extend the franchise under the same terms and conditions for the term of the life-of-site permit. The extension of the franchise hereby shall not trigger the requirements for a new permit, a major permit modification, or a substantial amendment to the permit. This subsection only applies to valid and operative franchise agreements in effect on October 1, 2015."

REPURPOSE PRE-REGULATORY LANDFILL FUNDS

SECTION 7. Section 13.2 of S.L. 2018-5, as amended by Section 4.2 of S.L. 2018-97, reads as rewritten:
"SECTION 13.2. Notwithstanding G.S. 130A-310.11(b), up to two million dollars ($2,000,000) of the funds credited to the Inactive Hazardous Sites Cleanup Fund under G.S. 105-187.63 for the assessment and remediation of pre-1983 landfills shall instead be used by the Department of Environmental Quality's Division of Waste Management to provide a matching grant to Charlotte Motor Speedway, LLC, (CMS) for the purpose of remediation activities at the Charlotte Motor Speedway in Cabarrus County. The Division shall provide one dollar ($1.00) for every two non-State dollars ($2.00) provided in kind or otherwise, up to a maximum of two million dollars ($2,000,000) for the matching grant described in this section. CMS may allocate all or a portion of the grant provided by this section to an entity that controls CMS or an entity controlled by CMS. Entities receiving such an allocation shall be considered a subgrantee as defined in G.S. 143C-6-23."

STUDY EXPRESS PERMITTING EXPANSION

SECTION 8. The Department of Environmental Quality shall study and report on additional positions and funding needed as well as any changes in State or federal laws and regulations necessary to expand the Department's express permitting programs to include additional types of permits typically required for job creating and real estate development or redevelopment activities. Additional permits considered in the study shall include, at a minimum, permits for facilities not discharging to the surface waters of the State under Article 21 of Chapter 143 of the General Statutes and permits to apply petroleum-contaminated soil to land authorized under G.S. 143-215.1. The Department shall provide its report and recommendations to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division no later than March 1, 2021.

WASTEWATER RESERVE PRIORITY

SECTION 9.(a) G.S. 159G-23 reads as rewritten:

"§ 159G-23. Priority consideration for loan or grant from Wastewater Reserve or Drinking Water Reserve.

The considerations for priority in this section apply to a loan or grant from the Wastewater Reserve or the Drinking Water Reserve. The Division of Water Infrastructure must consider the following items when evaluating applications:

…

(2) Effect on impaired waters. – A project that improves designated impaired waters of the State, with greater priority given to projects that improve designated impaired waters of the State that serve as a public water supply for a large public water system. For purposes of this subdivision, a large public water system is one serving more than 175,000 service connections.

…

(11) State water supply plan. Improve regional coordination. – A project that addresses a potential conflict between local plans or implements a measure in which local water supply plans could be better coordinated, as identified in the State water supply plan pursuant to G.S. 143-355(m).

…

(14) Disproportionate burden to protect water supply of higher-wealth neighboring local government unit. – Wastewater system improvements made by a local government unit in order to protect or preserve the water supply of a neighboring local government unit that has a lower poverty rate, lower utility bills, higher population growth, higher median household incomes, and lower unemployment."
SECTION 9. (b) This section becomes effective July 1, 2020, and applies to applications for loans or grants from the Wastewater Reserve or the Drinking Water Reserve received by the Division of Water Infrastructure on or after that date.

ALLOW USE OF FLOOD HAZARD AREAS FOR AQUACULTURE IN CERTAIN CIRCUMSTANCES

SECTION 10. G.S. 143-215.54 reads as rewritten:

“§ 143-215.54. Regulation of flood hazard areas; prohibited uses.

(a) A local government may adopt ordinances to regulate uses in flood hazard areas and grant permits for the use of flood hazard areas that are consistent with the requirements of this Part.

(b) The following uses may be made of flood hazard areas without a permit issued under this Part, provided that these uses comply with local land-use ordinances and any other applicable laws or regulations:

1. General farming, pasture, outdoor plant nurseries, horticulture, forestry, mining, wildlife sanctuary, game farm, aquaculture, and other similar agricultural, wildlife and related uses.

2. Ground level loading areas, parking areas, rotary aircraft ports and other similar ground level area uses.

3. Lawns, gardens, play areas and other similar uses.

4. Golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, parks, hiking or horseback riding trails, open space and other similar private and public recreational uses.

5. Land application of waste at agronomic rates consistent with a permit issued under Part 1 or Part 1A of Article 21 of Chapter 143 of the General Statutes or an approved animal waste management plan.


(c) New solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities are prohibited in the 100-year floodplain except as authorized under G.S. 143-215.54A(b)."

ARCHITECTURAL LICENSE EXCEPTION FOR SMALL PROJECTS

SECTION 11. G.S. 83A-13 reads as rewritten:


(c) Nothing in this Chapter shall be construed to require an architectural license for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction pursuant thereto, where the building, buildings, or project involved is in one of the following categories:

…

(3) An institutional or commercial building if it does not have a total value exceeding ninety thousand dollars ($90,000); two hundred thousand dollars ($200,000);

(4) An institutional or commercial building if the total building area does not exceed 2,500-3,000 square feet in gross floor area;

…

(c1) Notwithstanding subdivisions (c)(3) and (4) of this section, a commercial building project with a total value of less than ninety thousand dollars ($90,000); two hundred thousand dollars ($200,000) and a total project area of less than 2,500-3,000 square feet shall be exempt from the requirement for a professional architectural seal.
REVENUE LAWS STUDY

SECTION 12. The Department of Revenue shall provide to the Revenue Laws Study Committee information related to the property taxation of outdoor advertising signs. The information must include a review of the methods used to determine the fair market value of outdoor advertising signs in North Carolina, whether the Billboard Structures Valuation Guide published by the North Carolina Department of Revenue provides an accurate representation of the base costs for outdoor advertising structures in North Carolina, whether the Department should use data on actual costs attributed to structures constructed in North Carolina, the practices in other states, and any other issues the Department deems relevant.

The Department shall provide the requested information to the Committee no later than March 31, 2021.

BROADBAND EASEMENTS

SECTION 13. G.S. 117-28.1 reads as rewritten:

  (a) Any easement owned, held, or otherwise used by an electric membership corporation for the purpose of electrification, as stated in G.S. 117-10 may also be used by the corporation, or its wholly owned subsidiary, for the ancillary purpose of supplying high-speed broadband service, where such use does not require additional construction and is ancillary to the electrification purposes for which broadband fiber is or was installed. Nothing in this subsection shall affect, abrogate, or eliminate in any way any obligation of the corporation or its wholly owned subsidiary to comply with any applicable requirements related to notice, safety, or permitting when constructing or maintaining lines or broadband fiber on, over, under, or across property owned or operated by a railroad company."

MANUFACTURED HOMES INSTALLATION

SECTION 14.(a) G.S. 160A-383.1 is amended by adding a new subsection to read:

"(g) A city may require by ordinance that manufactured homes be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance; provided, however, a city shall not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner."

SECTION 14.(b) This section becomes effective October 1, 2020.

SECTION 14A.(a) G.S. 160D-910 is amended by adding a new subsection to read:

"(g) A city may require by ordinance that manufactured homes be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance; provided, however, a city shall not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner."

SECTION 14A.(b) This section is effective when Chapter 160D of the General Statutes becomes effective.

LIMITED REGISTRATION PLATES/FINE COLLECTION

SECTION 15.(a) G.S. 20-54 reads as rewritten:

"§ 20-54. Authority for refusing registration or certificate of title.
  The Division shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:
  …
  (6) The vehicle is not in compliance with the inspection requirements of Part 2 of Article 3A of this Chapter or a civil penalty assessed as a result of the failure
of the vehicle to comply with that Part has not been paid. Notwithstanding this
subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf
of a person purchasing a vehicle, obtain a limited registration plate pursuant
to G.S. 20-79.1A.

...  

(10) The North Carolina Turnpike Authority has notified the Division that the
owner of the vehicle has not paid the amount of tolls, fees, and civil penalties
the owner owes the Authority for use of a Turnpike project. Notwithstanding
this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A.

(11) The Division has been notified (i) pursuant to G.S. 20-217(g2) that the owner
of the vehicle has failed to pay any fine imposed pursuant to G.S. 20-217 or
(ii) pursuant to G.S. 153A-246(b)(14) that the owner of the vehicle has failed
to pay a civil penalty due under G.S. 153A-246. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf
of a person purchasing a vehicle, obtain a limited registration plate pursuant
to G.S. 20-79.1A.

(12) The owner of the vehicle has failed to pay any penalty or fee imposed pursuant
to G.S. 20-311. Notwithstanding this subdivision, a dealer licensed under
Article 12 of this Chapter may, on behalf of a person purchasing a vehicle,
obtain a limited registration plate pursuant to G.S. 20-79.1A.

(13) The Division has been notified by the State Highway Patrol that the owner of
the vehicle has failed to pay any civil penalty and fees imposed by the State
Highway Patrol for a violation of Part 9 of Article 3 of this Chapter. Notwithstanding this subdivision, a dealer licensed under Article 12 of this Chapter may, on behalf of a person purchasing a vehicle, obtain a limited registration plate pursuant to G.S. 20-79.1A."

SECTION 15.(b) G.S. 20-79.1A(a)(1) reads as rewritten:

"(a) Eligibility. – A limited registration plate is issuable to any of the following:

(1) A person who applies, either directly or through a dealer licensed under
Article 12 of this Chapter, for a title to a motor vehicle and a registration plate
for the vehicle and who submits payment for the applicable title and
registration fees but does not submit payment for any municipal corporation
property taxes on the vehicle. A person who submits payment for municipal
corporation property taxes receives an annual registration plate. A dealer shall
notify the person purchasing a vehicle of any outstanding civil penalties, fees,
tolls, and obligations owed that are of record and that are known by the dealer
at the time the dealer applies for a title to a motor vehicle and a registration
plate for the vehicle under this section." 

SALVAGE TITLE STUDY

SECTION 16.(a) The Division of Motor Vehicles shall, in consultation with the
Department of Insurance and interested parties, study whether the laws governing the title, registration, and branding of salvage vehicles need to be revised to protect consumers from vehicles that appear safe, which are actually unsafe because of flood damage or other severe damage that makes a vehicle unsafe, but is concealed from the consumer. The study will include the economic impact to the consumer of any proposed change in law recommended by the Division. As part of the study, the Division shall consider any other issues determined to be relevant to the title and registration of salvage vehicles.
SECTION 16.(b) No later than March 1, 2021, the Division of Motor Vehicles shall report its findings, including any recommendations for legislation, to the chairs of the Joint Legislative Transportation Oversight Committee, the House of Representatives Appropriations Committee on Transportation, the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division.

DIVISION OF EMERGENCY MANAGEMENT STUDY

SECTION 17.(a) Study. – The Division of Emergency Management of the Department of Public Safety shall study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system of this State for the benefit of public safety. In conducting the study, the Division may consult with the Department of Transportation, the Office of State Fire Marshal of the Department of Insurance, the Office of Emergency Medical Services of the Department of Health and Human Services, and any other State or local government organizations the Division determines may be of assistance in the course of the study. In performing the study, the Division shall, at a minimum, take the following steps:

1. Consult with county fire marshal divisions, emergency management offices, and emergency medical service divisions to determine potential sites of interest for construction or improvement relevant to the study.
2. Establish criteria to prioritize sites of interest for either construction or improvement.
3. Review applicable federal and State laws, codes, standards, and studies relevant to the study.
4. Review (i) existing Department of Transportation planning, design, and construction standards for interchanges, median crossovers, and access points and (ii) how those standards consider the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
5. Consider the feasibility of providing opportunities for stakeholder input during the planning of future interstate improvements that focus on the needs of law enforcement, emergency medical and emergency management personnel, and firefighters.
6. Examine any other matters the Division deems relevant in the course of the study.

SECTION 17.(b) Report. – The Division shall report the findings and recommendations, including any legislative proposals, to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Emergency Management Oversight Committee, and the Joint Legislative Transportation Oversight Committee no later than March 1, 2022.

NORTH CAROLINA BOARD OF ARCHITECTURE MODIFICATIONS

SECTION 18.(a) G.S. 83A-2 reads as rewritten:

§ 83A-2. North Carolina Board of Architecture; creation; appointment, terms and oath of members; vacancies; officers; bond of treasurer; notice of meetings; quorum.

(a) The North Carolina Board of Architecture shall have the power and responsibility to administer the provisions of this Chapter in compliance with the Administrative Procedure Act.

(b) The Board shall consist of seven members appointed by the Governor. Five of the members of the Board shall be licensed architects appointed for five year terms; the terms shall be staggered so that the term of one architect member expires each year. No architect member shall be eligible to serve more than two consecutive terms; if a vacancy occurs during a term, the Governor shall appoint a person to fill the vacancy for the remainder of the unexpired term. Two of the members of the Board shall be persons who are not licensed architects and who represent
the interest of the public at large; the Governor shall appoint these members not later than July 1, 1979. The public members shall have full voting powers and shall serve at the pleasure of the Governor. Each Board member shall file with the Secretary of State an oath faithfully to perform duties as a member of the Board, and to uphold the Constitution of North Carolina and the Constitution of the United States.

(c) Officers of the Board shall include a president, vice-president, secretary and treasurer elected at the annual meeting for terms of one year. The treasurer shall give bond in such sum as the Board shall determine, with such security as shall be approved by the Board, said bond to be conditioned for the faithful performance of the duties of his office and for the faithful accounting of all moneys and other property as shall come into his hands. Notice of the annual meeting, and the time and place of the annual meeting shall be given each member by letter at least 10 days prior to such meeting and public notice of annual meetings shall be published at least once each week for two weeks preceding such meetings in one or more newspapers of general circulation in this State, on the Web site of the Board. A majority of the members of the Board shall constitute a quorum."

SECTION 18.(b) G.S. 83A-5 reads as rewritten:

"§ 83A-5. Board records; rosters; seal.

(a) The Board shall maintain records of board meetings, of applications for individual or corporate registration and the action taken thereon, of the results of examinations, of all disciplinary proceedings, and of such other information as deemed necessary by the Board or required by the Administrative Procedure Act or other provisions of the General Statutes.

(b) A complete roster showing the name and last known address of all resident and nonresident architects and architectural firms holding current licenses from the Board shall be maintained and published by the Board at least once each year, and shall include each registrant's authorization or registration number. Copies of the roster shall be filed with the Secretary of State and the Attorney General, and may be made available on the Web site of the Board.

(c) The Board shall adopt a seal containing the name of the Board for use on its official records and reports."

SECTION 18.(c) G.S. 83A-7 reads as rewritten:

"§ 83A-7. Qualifications and examination requirements.

(a) Licensing by Examination. – Any individual who is at least 18 years of age and of good moral character may make written application for examination by completion of a form prescribed by the Board accompanied by the required application fee. Subject to qualification requirements of this section, the applicant shall be entitled to an examination to determine his qualifications for licensure.

(1) The qualification requirements for registration licensure by examination as a duly licensed architect shall be all of the following:

a. Professional education and at least three years practical training and experience as specified by rules of the Board.

b. The successful completion of a licensure examination in architecture as specified by the rules of the Board.

c. The successful completion of an accredited master's or bachelor's degree in architecture as specified by the rules of the Board.

(2) The Board shall adopt rules to set requirements for professional education, practical training and experience, and examination which must be met by applicants for licensure and which may be based on the published guidelines of nationally recognized councils or agencies for the accreditation, examination, and licensing for the architectural profession.
(b) Licensing by Reciprocity. – Any individual holding a current license for the practice of architecture from another state or territory, and holding a certificate of qualification-certified record issued by the National Council of Architectural Registration Boards, NCARB, may upon application and within the discretion of the Board be licensed without written examination. The Board may, in its discretion, waive the requirement for National Council of Architectural Registration Boards (NCARB) registration certified record if the qualifications, examination and licensing requirements of the state in which the applicant is licensed are substantially equivalent to those of this State and the applicant otherwise meets the requirements of this Chapter."

SECTION 18.(d) G.S. 83A-11 reads as rewritten:


Certificates must be renewed on or before the first day of July in each year. No less than 30 days prior to the renewal date, a renewal application shall be mailed transmitted to each individual and corporate licensee. The completed application together with the required renewal fee shall be returned to the Board on or before the renewal date. When the Board is satisfied as to the continuing competency of an architect, it shall issue a renewal of the certificate. Upon failure to renew within 30 days after the date set for expiration, the license shall be automatically revoked but such license may be renewed at any time within one year following the expiration date upon proof of continuing competency and payment of the renewal fee plus a late renewal fee. After one year from the date of revocation, reinstatement may be made by the Board, or in its discretion, the application may be treated as new subject to reexamination and qualification requirements as in the case of new applications."

INSURANCE CANCELLATION PROOF OF MAILING

SECTION 19.(a) G.S. 58-41-15 reads as rewritten:


…

(b) Any cancellation permitted by subsection (a) of this section is not effective unless written notice of cancellation has been delivered or mailed to the insured, not less than 15 days before the proposed effective date of cancellation. The notice must be given or mailed to the insured, and any designated mortgagee or loss payee at their addresses shown in the policy or, if not indicated in the policy, at their last known addresses. The notice must state the precise reason for cancellation. Proof of mailing is sufficient proof of notice. Failure to send this notice to any designated mortgagee or loss payee invalidates the cancellation only as to the mortgagee's or loss payee's interest.

…

(f) For purposes of this section, proof of mailing is sufficient proof of notice."

SECTION 19.(b) This section becomes effective October 1, 2020, and applies to policies issued, amended, or renewed on or after that date.

REQUIRE ADDITIONAL NOTICE BEFORE STATE OF EMERGENCY DECLARATIONS TAKE EFFECT

SECTION 20. G.S. 166A-19.31 reads as rewritten:

"§ 166A-19.31. Power of municipalities and counties to enact ordinances to deal with states of emergency.

…

(d) When Prohibitions and Restrictions Take Effect. – All prohibitions and restrictions imposed by declaration pursuant to ordinances adopted under this section shall take effect in the emergency area immediately upon publication of the declaration unless the declaration sets a later time. For the purpose of requiring compliance, publication shall include at least (i) publication of a signed copy of the declaration conspicuously posted on the Web site of the municipality or county and (ii) submittal of notice and a signed copy of the declaration to the
Department of Public Safety WebEOC critical incident management system. Publication may also consist of reports of the substance of the prohibitions and restrictions in the mass communications media serving the emergency area or other effective methods of disseminating the necessary information quickly. As soon as practicable, however, appropriate distribution of the full text of any declaration shall be made. This subsection shall not be governed by the provisions of G.S. 1-597.

"..."

CONFIDENTIALITY CHANGES FOR CERTAIN DOCUMENTS IN SECURITIES INVESTIGATIONS

SECTION 21.(a) G.S. 78A-45 reads as rewritten:

"§ 78A-45. Administration of Chapter.

(a) This Chapter shall be administered by the Secretary of State. The Secretary of State as Administrator may delegate all or part of the authority under this Chapter to the Deputy Securities Administrator including, but not limited to, the authority to conduct hearings, make, execute and issue final agency orders and decisions. The Secretary of State may appoint such clerks and other assistants as may from time to time be needed. The Secretary of State may designate one or more hearing officers for the purpose of conducting administrative hearings.

(b) It is unlawful for the Administrator or any of his officers or employees to use for personal benefit any information which is filed with or obtained by the Administrator and which is not made public. No provision of this Chapter authorizes the Administrator or any of his officers or employees to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under this Chapter. No provision of this Chapter either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to the Administrator or any of his officers or employees.

(b1) It is the policy of this State that an investor's financial information should be treated as confidential and unavailable for inspection or examination by members of the public under G.S. 132-6.

(c) All fees provided for under this Chapter shall be collected by the Administrator and shall be paid over to the State Treasurer to go into the general fund."

SECTION 21.(b) G.S. 78A-50 reads as rewritten:

"§ 78A-50. Administrative files and opinions.

(a) A document is filed when it is received by the Administrator.

(b) The Administrator shall keep a register of all applications for registration and registration statements which are or have been effective under this Chapter and all denial, suspension, or revocation orders which have been entered under this Chapter. The register shall be open for public inspection.

(c) The information contained in or filed with any registration statement, application, or report may be made available to the public under such rules as the Administrator prescribes.

(c1) The files and records of the Administrator relating to criminal investigations and enforcement proceedings undertaken pursuant to this Chapter are subject to the provisions of G.S. 132-1.4.

(c2) The files and records of the Administrator relating to noncriminal investigations and enforcement proceedings undertaken pursuant to this Chapter shall not be subject to inspection and examination pursuant to G.S. 132-6 until the investigations and proceedings are completed and cease to be active.

(c3) Any information obtained by the Administrator from any law enforcement agency, administrative agency, or regulatory organization on a confidential or otherwise restricted basis in the course of an investigation or proceeding undertaken pursuant to this Chapter shall be
confidential and exempt from G.S. 132-6 to the same extent that it is confidential in the
possession of the providing agency or organization.

(c4) Notwithstanding subsections (c1) and (c2) of this section, any records obtained by the
Administrator in connection with an examination under G.S. 78A-38(d), an investigation under
G.S. 78A-46, or an action under G.S. 78A-47 or G.S. 78A-39 shall not be a public record
available for public examination.

(c5) A record that is not required to be provided to the Administrator or filed under this
act and is provided to and accepted by the Administrator only on the condition that the
information will not be subject to public examination or disclosure is not a public record that is
available for public examination.

(c6) The Administrator may disclose a record obtained in connection with an examination
under G.S. 78A-38(d), an investigation under G.S. 78A-46, or an action under G.S. 78A-47 or
G.S. 78A-39 if disclosure is for the purpose of a civil, administrative, or criminal investigation,
action, or proceeding or to a securities regulator of one or more states, Canada or one or more of
its provinces or territories, one or more foreign countries; the United States Securities and
Exchange Commission, the United States Department of Justice, the Commodity Futures Trading
Commission, the Federal Trade Commission, the Securities Investor Protection Corporation, a
self-regulatory organization, a national or international organization of securities regulators,
federal or state banking and insurance regulators, and any governmental law enforcement agency,
in order to effectuate greater uniformity in securities matters among the federal government,
self-regulatory organizations, and state and foreign governments.

(d) Upon request and at such reasonable charges as the administrator prescribes, the
Administrator shall furnish to any person photostatic or other copies (certified under the seal of
office if requested) of any entry in the register or any document which is a matter of public record.
In any proceeding or prosecution under this Chapter, any copy so certified is prima facie evidence
of the contents of the entry or document certified.

(e) The Administrator may honor requests from interested persons for interpretative
opinions. When an exemption is claimed in writing, cites the section relied upon, and is
considered eligible upon the showing made, a "no action" letter will be furnished upon request
and upon the payment of a fee of one hundred fifty dollars ($150.00)."

SECTION 21. (c) G.S. 78C-26 reads as rewritten:

"§ 78C-26. Administration of Chapter.

(a) This Chapter shall be administered by the Secretary of State. The Secretary of State
as Administrator may delegate all or part of the authority under this Chapter to the Deputy
Securities Administrator including, but not limited to, the authority to conduct hearings, and
make, execute and issue final agency orders and decisions. The Secretary of State may appoint
such clerks and other assistants as may from time to time be needed. The Secretary of State may
designate one or more hearing officers for the purpose of conducting administrative hearings.

(b) It is unlawful for the Administrator or any of his officers or employees to use for
personal benefit any information which is filed with or obtained by the Administrator and which
is not made public. No provision of this Chapter authorizes the Administrator or any of his
officers or employees to disclose any such information except among themselves or when
necessary or appropriate in a proceeding or investigation under this Chapter. No provision of this
Chapter either creates or derogates from any privilege which exists at common law or otherwise
when documentary or other evidence is sought under a subpoena directed to the Administrator
or any of his officers or employees.

(b1) It is the policy of this State that an investor's financial information should be treated
as confidential and unavailable for inspection or examination by members of the public under
G.S. 132-6.

(c) All fees provided for under this Chapter shall be collected by the Administrator and
shall be paid over to the State Treasurer to go into the General Fund."
SECTION 21.(d) G.S. 78C-31 reads as rewritten:

"§ 78C-31. Administrative files and opinions.

(a) A document is filed when it is received by the Administrator.

(b) The Administrator shall keep a register of all applications for registration which are or have been effective under this Chapter and all denial, suspension, or revocation orders or similar orders which have been entered under this Chapter. The register shall be open for public inspection.

(c) The information contained in or filed with any registration, application, or report may be made available to the public under such rules as the Administrator prescribes.

(c1) The files and records of the Administrator relating to criminal investigations and enforcement proceedings undertaken pursuant to this Chapter are subject to the provisions of G.S. 132-1.4.

(c2) The files and records of the Administrator relating to noncriminal investigations and enforcement proceedings undertaken pursuant to this Chapter shall not be subject to inspection and examination pursuant to G.S. 132-6 until the investigations and proceedings are completed and cease to be active.

(c3) Any information obtained by the Administrator from any law enforcement agency, administrative agency, or regulatory organization on a confidential or otherwise restricted basis in the course of an investigation or proceeding undertaken pursuant to this Chapter shall be confidential and exempt from G.S. 132-6 to the same extent that it is confidential in the possession of the providing agency or organization.

(c4) Notwithstanding subsections (c1) and (c2) of this section, any records obtained by the Administrator in connection with an examination under G.S. 78C-18(e), an investigation under G.S. 78C-27, or an action under G.S. 78C-28 or G.S. 78C-19 shall not be a public record available for public examination.

(c5) A record that is not required to be provided to the Administrator or filed under this act and is provided to the Administrator only on the condition that the information will not be subject to public examination or disclosure is not a public record that is available for public examination.

(c6) The Administrator may disclose a record obtained in connection with an examination under G.S. 78C-18(e), an investigation under G.S. 78C-27 or an action under G.S. 78C-28 or G.S. 78C-19 if disclosure is for the purpose of a civil, administrative, or criminal investigation, action, or proceeding or to a securities regulator of one or more states, Canada or one or more of its provinces or territories, one or more foreign countries; the United States Securities and Exchange Commission, the United States Department of Justice, the Commodity Futures Trading Commission, the Federal Trade Commission, the Securities Investor Protection Corporation, a self-regulatory organization, a national or international organization of securities regulators, federal or state banking and insurance regulators, and any governmental law enforcement agency, in order to effectuate greater uniformity in securities matters among the federal government, self-regulatory organizations, and state and foreign governments.

(d) Upon request and at such reasonable charges as the Administrator prescribes, the Administrator shall furnish to any person photostatic or other copies (certified under the seal of office if requested) of any entry in the register or any document which is a matter of public record. In any proceeding or prosecution under this Chapter, any copy so certified is prima facie evidence of the contents of the entry or document certified.

(e) The Administrator may honor requests from interested persons for interpretative opinions upon the payment of a fee of one hundred fifty dollars ($150.00)."

ALLOW SELF-INSURERS TO MAKE PAYMENTS FOR AN INITIAL ASSESSMENT OVER A PERIOD

SECTION 22. G.S. 97-133(a)(3a)c. reads as rewritten:
"c. Initial assessments. – An individual self-insurer that becomes upon receiving its license from the Commissioner is a member and does not initially participate in of the Association Aggregate Security System shall and is required to pay an initial assessment to the Association in an amount and over a period as determined by the Board. A group self-insurer, upon receiving its initial license from the Commissioner, shall is a member of the Association and is required to pay an initial assessment to the Association in an amount and over a period as determined by the Board."

DELAY THE PAYMENT DEADLINE FOR CERTAIN ABC PERMIT RENEWALS

SECTION 22.5.(a) Notwithstanding G.S. 18B-903, payment of the fee for renewal or registration of an ABC permit held by an ABC permittee that is prohibited from operating pursuant to Executive Order No. 141, Easing Restrictions on Travel, Business Operations, and Mass Gatherings, shall not be required until 90 days after the date the Governor signs an executive order rescinding the prohibition on those permittees' operation, provided the ABC permittee notifies the ABC Commission in writing, including by e-mail or other electronic means, of its intent to delay payment.

SECTION 22.5.(b) An ABC permittee that is prohibited from operating pursuant to Executive Order No. 141, Easing Restrictions on Travel, Business Operations, and Mass Gatherings, that has paid a fee for renewal or registration of an ABC permit prior to the effective date of this section may request a refund from the ABC Commission. A permittee that receives a refund from the Commission pursuant to this subsection shall repay the fee before the expiration of the period established by subsection (a) of this section.

AMEND CERTAIN CHARTER SCHOOL REPORT DATE

SECTION 23. G.S. 115C-218.110 reads as rewritten:

"§ 115C-218.110. Notice of the charter school process; review of charter schools.

... (b) The State Board of Education shall review and evaluate the educational effectiveness of the charter schools authorized under this Article and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located. The Board shall report annually no later than February 15 June 15 to the Joint Legislative Education Oversight Committee on the following:

1. The current and projected impact of charter schools on the delivery of services by the public schools.
2. Student academic progress in the charter schools as measured, where available, against the academic year immediately preceding the first academic year of the charter schools' operation.
3. Best practices resulting from charter school operations.
4. Other information the State Board considers appropriate."

ALLOW A TEACHING HOSPITAL AFFILIATED WITH BUT NOT PART OF ANY CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA TO ASSIGN CAMPUS POLICE OFFICERS OF ITS CAMPUS LAW ENFORCEMENT AGENCY TO ANY OTHER FACILITY WITHIN THE TEACHING HOSPITAL’S SYSTEM NETWORK

SECTION 23.5. G.S. 116-40.5 is amended by adding a new subsection to read:

"(a1) Any teaching hospital having established a campus law enforcement agency pursuant to subsection (a) of this section may assign its campus police officers to any other facility within the teaching hospital’s system network. Campus police officers assigned to any other facility..."
within the teaching hospital's system network pursuant to this subsection shall have the same authority and jurisdiction exclusively upon the premises of the assigned facility, but not upon any portion of any public road or highway passing through the property of the facility or immediately adjoining it, as a campus police officer assigned to a teaching hospital under subsection (a) of this section."

AUTHORIZE LOCAL CONFINEMENT FACILITIES TO PROVIDE AND USE WIRELESS COMMUNICATION DEVICES

SECTION 23.7.(a) G.S. 14-258.1 is amended by adding a new subsection to read:

"(h) The prohibitions in subsections (d) and (g) of this section shall not apply to any mobile telephone or other wireless communications device provided to or possessed by an inmate of a local confinement facility if the mobile telephone or other wireless communications device has been approved by the sheriff or other person in charge of a local confinement facility for use by inmates and is provided to the inmate in a manner consistent with the approved use of that device."

SECTION 23.7.(b) This section becomes effective August 1, 2020, and applies to offenses committed on or after that date. Prosecutions for offenses committed before the effective date of this section are not abated or affected by this section, and the statutes that would be applicable but for this section remain applicable to those prosecutions.

CLARIFICATION REGARDING SUBMISSION OF CERTAIN COMPONENT DESIGNS OR PROPOSALS

SECTION 24. G.S. 160D-1106(a) reads as rewritten:

"§ 160D-1106. Alternate inspection method for component or element.
(a) Notwithstanding the requirements of this Article, a city shall accept and approve, without further responsibility to inspect, a design or other proposal for a component or element in the construction of buildings from an architect licensed under Chapter 83A of the General Statutes or professional engineer licensed under Chapter 89C of the General Statutes provided all of the following apply:

(1) The submission design or other proposal is completed under valid seal of the licensed architect or licensed professional engineer.
(2) Field inspection of the installation or completion of a component or element of the building is performed by a licensed architect or licensed professional engineer or a person under the direct supervisory control of the licensed architect or licensed professional engineer.
(3) The licensed architect or licensed professional engineer under subdivision (2) of this subsection provides the city with a signed written document stating the component or element of the building inspected under subdivision (2) of this subsection is in compliance with the North Carolina State Building Code or the North Carolina Residential Code for One- and Two-Family Dwellings. The inspection certification required under this subdivision shall be provided by electronic or physical delivery and its receipt shall be promptly acknowledged by the city through reciprocal means."

PROVIDE FOR LICENSURE OF MOBILE BEAUTY SALONS AND ENSURE THE SAFE AND HYGIENIC OPERATION THEREOF

SECTION 24.6.(a) Chapter 88B of the General Statutes reads as rewritten:

"Chapter 88B. "
"Cosmetic Art."
§ 88B-2. Definitions.

The following definitions apply in this Chapter:

(1) Apprentice. – A person who is not a manager or operator and who is engaged in learning the practice of cosmetic art under the direction and supervision of a cosmetologist.

(2) Board. – The North Carolina Board of Cosmetic Art Examiners.

(3) Booth. – A workstation located within a licensed cosmetic art shop that is operated primarily by one individual in performing cosmetic art services for consumers.

(4) Booth renter. – A person who rents a booth in a cosmetic art shop.

(5) Cosmetic art. – All or any part or combination of cosmetology, esthetics, natural hair care, or manicuring, including the systematic manipulation with the hands or mechanical apparatus of the scalp, face, neck, shoulders, hands, and feet. Practices included within this subdivision shall not include the practice of massage or bodywork therapy as set forth in Article 36 of Chapter 90 of the General Statutes.

(6) Cosmetic art school. – Any building or part thereof where cosmetic art is taught.

(7) Cosmetic art shop. – Any building or part thereof where cosmetic art is practiced for pay or reward, whether direct or indirect.

(8) Cosmetologist. – Any individual who is licensed to practice all parts of cosmetic art.

Cosmetology. – The act of arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similar work upon the hair of a person by any means, including the use of hands, mechanical or electrical apparatus, or appliances or by use of cosmetic or chemical preparations or antiseptics.

Cosmetology teacher. – An individual licensed by the Board to teach all parts of cosmetic art.

Esthetician. – An individual licensed by the Board to practice only that part of cosmetic art that constitutes skin care.

Esthetician teacher. – An individual licensed by the Board to teach only that part of cosmetic art that constitutes skin care.

Esthetics. – Refers to any of the following practices: giving facials; applying makeup; performing skin care; removing superfluous hair from the body of a person by use of creams, tweezers, or waxing; applying eyelashes to a person, including the application of eyelash extensions, brow or lash color; beautifying the face, neck, arms, or upper part of the human body by use of cosmetic preparations, antiseptics, tonics, lotions, or creams; surface manipulation in relation to skin care; or cleaning or stimulating the face, neck, ears, arms, hands, bust, torso, legs, or feet of a person by means of hands, devices, apparatus, or appliances along with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

Manicuring. – The care and treatment of the fingernails, toenails, cuticles on fingernails and toenails, and the hands and feet, including the decoration of the fingernails and the application of nail extensions and artificial nails. The term "manicuring" shall not include the treatment of pathologic conditions.

Manicurist. – An individual licensed by the Board to practice only that part of cosmetic art that constitutes manicuring.

Manicurist teacher. – An individual licensed by the Board to teach manicuring.
§88B-4. Powers and duties of the Board.

(b) A member of the Board shall have the authority to inspect cosmetic art schools, mobile salons, and cosmetic art schools at any reasonable hour to determine compliance with the provisions of this Chapter if the inspection is made: (i) at the request of the Board, or with the approval of the chair or the executive director as a result of a complaint made to the Board or a problem reported by an inspector, or (ii) at the request of an inspector who deems it necessary to request the assistance of a Board member and who has the prior approval of the chair or executive director to do so. A Board member who makes an inspection pursuant to this subsection shall file a report with the Board before requesting reimbursement for expenses.

§88B-20. Fees required.

(b) The Board may charge application fees as follows:

(1) Inspection of a newly established cosmetic art shop or mobile salon .................................................. $ 25.00
(2) Reciprocity applicant under G.S. 88B-13 .................................................. $ 15.00.

(c) The Board may charge license fees as follows:

(1) Cosmetologist .............................................. $ 39.00 every 3 years
(2) Apprentice .................................................. $ 10.00 per year
(3) Esthetician .................................................. $ 10.00 per year
(4) Manicurist .................................................. $ 10.00 per year
(4a) Natural hair care specialist ........................................... $ 10.00 per year
(5) Teacher ...................................................... $ 10.00 every 2 years
(6) Cosmetic art shop per active booth ..................................... $ 3.00 per year
(6a) Mobile salon .............................................. $ 25.00 per year
(7) Cosmetic art school ............................................. $ 50.00 per year
(8) Duplicate license .............................................. $ 1.00.

(d) The Board may require payment of late fees and reinstatement fees as follows:

(1) Apprentice, cosmetologist, esthetician, manicurist, natural hair care specialist, and teacher late renewal .............................................. $ 10.00
(2) Cosmetic art schools and shops and mobile salons late renewal ................................................................. $ 10.00
(3) Reinstatement – cosmetic art schools and shops and mobile salons ................................................................. $ 25.00.

(e) The Board may prorate fees as appropriate.
§ 88B-21. Renewals; expired licenses; inactive status.

(a) Each license to operate a cosmetic art shop or mobile salon shall be renewed on or before the first day of February of each year. As provided in G.S. 88B-20, a late fee shall be charged for licenses renewed after February 1. Any license not renewed by March 1 of each year shall expire. A cosmetic art shop or mobile salon whose license has been expired for one year or less shall have the license reinstated immediately upon payment of the reinstatement fee, the late fee, and all unpaid license fees. The licensee shall submit to the Board, as a part of the renewal process, a list of all licensed cosmetologists who practice cosmetic art in the shop or mobile salon and shall identify each as an employee or a booth renter.

§ 88B-22. Licenses required; criminal penalty.

(a) Except as provided in this Chapter, no person may practice or attempt to practice cosmetic art for pay or reward in any form, either directly or indirectly, without being licensed as an apprentice, cosmetologist, esthetician, natural hair care specialist, or manicurist by the Board.

(b) Except as provided in this Chapter, no person may practice cosmetic art or any part of cosmetic art, for pay or reward in any form, either directly or indirectly, outside of a licensed cosmetic art shop or mobile salon.

(c) No person may open or operate a cosmetic art shop or mobile salon in this State unless a license has been issued by the Board for that shop or mobile salon.

(d) An individual licensed as an esthetician, natural hair care specialist, or manicurist may practice only that part of cosmetic art for which the individual is licensed.

(d1) No person may teach cosmetic art in a Board-approved cosmetic art school unless the person is a teacher licensed under this Chapter. A guest lecturer may be exempt from the requirements of this subsection upon approval by the Board.

(e) An apprentice licensed under the provisions of this Chapter shall apprentice under the direct supervision of a cosmetologist. An apprentice shall not operate a cosmetic art shop or mobile salon.

(f) A violation of this Chapter is a Class 3 misdemeanor.

§ 88B-23. Licenses to be posted.

(a) Every apprentice, cosmetologist, esthetician, manicurist, natural hair care specialist, and teacher licensed under this Chapter shall display the certificate of license issued by the Board within the shop or mobile salon in which the person works.

(b) Every certificate of license to operate a cosmetic art shop or school shop, school, or mobile salon shall be conspicuously posted in the shop or school shop, school, or mobile salon for which it is issued.

§ 88B-26. Rules to be posted.

(a) The Board shall furnish a copy of its rules relating to sanitary management of cosmetic art shops and schools, cosmetic art schools, and mobile salons to each shop and school shop, school, and mobile salon licensed by the Board. Each shop and school shop, school, and mobile salon shall post the rules in a conspicuous place.

§ 88B-27. Inspections.

Any inspector or other authorized representative of the Board may enter any cosmetic art shop or school shop, school, or mobile salon to inspect it for compliance with this Chapter and the Board's rules. All persons practicing cosmetic art in a shop or school shop, school, or mobile salon shall, upon request, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other government entity. The Board may require a cosmetic art shop or school shop, school, or mobile salon to be inspected as a condition for license renewal.
SECTION 24.6.(b) Chapter 88B of the General Statutes is amended by adding a new section to read:


(a) A motor home as defined in Article 1 of Chapter 20 of the General Statutes may be used as a mobile salon for the practice of cosmetic art.

(b) The Board shall issue a license to operate a mobile salon to any applicant who submits a properly completed application on a form approved by the Board, pays the required fee, and is determined after inspection to be in compliance with the provisions of this Chapter and the Board's rules.

(c) The Board shall adopt rules for the operation, licensure, and inspection of mobile salons, including standards for facilities, personnel, and safety and sanitary requirements. All licensure and operating requirements provided by this Chapter or by rules adopted by the Board pursuant to this Chapter that apply to cosmetic art shops shall also apply to mobile salons, except to the extent that the requirements conflict with this section or with any rules adopted by the Board pursuant to this section.

(d) In addition to the requirements of this Chapter, individuals and the vehicles they operate while providing mobile salon services shall be subject to the provisions of (i) Chapter 20 of the General Statutes, (ii) Chapter 19A of the North Carolina Administrative Code, (iii) all applicable OSHA requirements, and (iv) all local laws and ordinances regulating business establishments.

(e) A mobile salon must be equipped with a functional sink and toilet facilities and must maintain an adequate supply of clean water and wastewater storage capacity.

(f) No cosmetic art or service may be performed in a mobile salon while the salon is moving. The mobile salon must be safely parked in a legal parking spot at all times while patrons are present inside the salon.

(g) A mobile salon owner must maintain a permanent business address at which records of appointments, itineraries, license numbers, and vehicle identification numbers for each mobile salon being operated shall be kept and made available for verification and inspection by the Board and at which all correspondence from the Board can be received.

(h) To facilitate periodic inspections of mobile salons, prior to the beginning of each month, the owner of the salon shall provide to the Board a written monthly itinerary listing locations, dates, and hours of operation for the salon."

SECTION 24.6.(e) The Board shall adopt temporary rules to implement this section as expeditiously as possible.

EXTEND SUNSET ON REMOTE NOTARY AND VIDEO WITNESSING AUTHORIZATION

SECTION 24.8.(a) G.S. 10B-10(b1), as enacted by S.L. 2020-3, reads as rewritten:

"(b1) Notwithstanding subsection (b) of this section, if the Secretary grants a commission after March 9, 2020, and before March 1, 2021, the appointee shall have 90 days to appear before the register of deeds to take the general oath of office. A register of deeds may administer the required oath to such appointee using video conference technology provided the appointee is personally known to the register of deeds or the appointee provides satisfactory evidence of the appointee's identity to the register of deeds. As used in this subsection, video conference technology and satisfactory evidence are as defined in G.S. 10B-25."

SECTION 24.8.(b) G.S. 10B-25(n), as enacted by S.L. 2020-3, reads as rewritten:

"(n) This section shall expire at 12:01 A.M. on August 1, 2020; March 1, 2021; provided, however, all notarial acts made in accordance with this section and while this section is in effect shall remain effective and shall not need to be reaffirmed."
"(b) This Article expires August 1, 2020, March 1, 2021."

PART II. AGRICULTURE, ENERGY, ENVIRONMENT, AND NATURAL RESOURCES REGULATORY REFORM PROVISIONS

ALLOW DIVISION OF COASTAL MANAGEMENT TO ACCEPT ELECTRONIC PAYMENTS

SECTION 25. G.S. 113A-119 reads as rewritten:

"§ 113A-119. Permit applications generally.
(a) Any person required to obtain a permit under this Part shall file with the Secretary and (in the case of a permit sought from a city or county) with the designated local official an application for a permit in accordance with the form and content designated by the Secretary and approved by the Commission. The applicant must submit with the application a check, an electronic payment, check, or money order payable to the Department or the city or county, as the case may be, constituting a fee set by the Commission pursuant to G.S. 113A-119.1.

...."

MINE RECLAMATION REPORTING DATE CHANGE

SECTION 26. G.S. 74-55 reads as rewritten:

"§ 74-55. Reclamation report.
(a) By July 1 of each year, the operator shall file a report of activities completed during the preceding year on a form prescribed by the Department, which includes all of the following:
(1) Identify the mine, the operator and the permit number.
(2) State acreage disturbed by mining in the last 12-month period.
(3) State and describe amount and type of reclamation carried out in the last 12-month period.
(4) Estimate acreage to be newly disturbed by mining in the next 12-month period.
(5) Provide such maps as may be specifically requested by the Department.
(6) Include the annual operating fee pursuant to G.S. 74-54.1(a1).

(b) When filing the annual report, the permittee shall pay the annual operating fee for the permit to the Department by September 1 of each year until the permit has been terminated by the Department. The Department may assess and collect a monthly penalty for each annual report or annual operating fee not filed by July 31 of each year until the annual report and annual operating fee are filed with the Department. If the required annual report and operating fee, including any late payment penalties, are not filed by December 31 of each year, the Department shall give written notice to the operator and shall then initiate permit revocation proceedings in accordance with G.S. 74-58."

DEQ REPORTS DATE CHANGE

SECTION 27. (a) Section 15.6(b) of S.L. 1999-237, as amended by Section 4.21 of S.L. 2017-10, reads as rewritten:

"Section 15.6.(b) The Department of Environmental Quality and the Office of State Budget and Management shall report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources the amount and the source of the funds used pursuant to subsection (a) of this section within 30 days of the expenditure of these funds on or before April 15 of each year and shall include this information in the status of solid waste management report required to be submitted pursuant to G.S. 130A-309.06(c)."

SECTION 27. (b) G.S. 130A-309.06(c) reads as rewritten:
"(c) The Department shall report to the Environmental Review Commission and the Fiscal Research Division on or before January 15, April 15 of each year on the status of solid waste management efforts in the State. The report shall include the following:

1. A report on the implementation and cost of the hazardous waste management program. The report shall include an evaluation of how well the State and private parties are managing and cleaning up hazardous waste. The report shall also include recommendations to the Governor, State agencies, and the General Assembly on ways to: improve waste management; reduce the amount of waste generated; maximize resource recovery, reuse, and conservation; and minimize the amount of hazardous waste which must be disposed of. The report shall include beginning and ending balances in the Hazardous Waste Management Account for the reporting period, total fees collected pursuant to G.S. 130A-294.1, anticipated revenue from all sources, total expenditures by activities and categories for the hazardous waste management program, any recommended adjustments in annual and tonnage fees which may be necessary to assure the continued availability of funds sufficient to pay the State's share of the cost of the hazardous waste management program, and any other information requested by the General Assembly. In recommending adjustments in annual and tonnage fees, the Department may propose fees for hazardous waste generators, and for hazardous waste treatment facilities that treat waste generated on site, which are designed to encourage reductions in the volume or quantity and toxicity of hazardous waste. The report shall also include a description of activities undertaken to implement the resident inspectors program established under G.S. 130A-295.02. In addition, the report shall include an annual update on the mercury switch removal program that shall include, at a minimum, the following:

2. A report on the use of funds for Superfund cleanups and inactive hazardous site cleanups."

SECTION 27.(c) G.S. 130A-294(i) reads as rewritten:

"(i) The Department shall include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on the management of white goods. The Department shall include the following information:

3. The description shall include the following information:

4. A description of the implementation of the North Carolina Scrap Tire Disposal Act under this Part for the fiscal year ending the preceding June 30. The description of the implementation of the North Carolina Scrap Tire Disposal Act shall include a list of the recipients of grants under subsection (a) of this section and the amount of each grant for the previous 12-month period. The report also shall include the amount of funds used to clean up nuisance sites under subsection (d) of this section."
on the recycling of discarded computer equipment and televisions in the State under this Part. The report must include an evaluation of the recycling rates in the State for discarded computer equipment and televisions, a discussion of compliance and enforcement related to the requirements of this Part, and any recommendations for any changes to the system of collection and recycling of discarded computer equipment, televisions, or other electronic devices."

**SECTION 27.(g)** G.S. 130A-310.10 reads as rewritten:

"§ 130A-310.10. Annual reports.

(a) The Secretary shall include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on inactive hazardous sites that includes at least the following:

1. The Inactive Hazardous Waste Sites Priority List.
2. A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund.
3. A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans.
4. A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement said plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of said plan.
5. A list of sites and remedial action plans undergoing voluntary cleanup with Departmental approval.
6. A list of sites and remedial action plans that may require State funding, a comprehensive budget if implementation of these possible remedial action plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the possible costs of said plans.
7. A list of sites that pose an imminent hazard.
8. A comprehensive budget to develop and implement remedial action plans for sites that pose imminent hazards and that may require State funding, and the adequacy of the Inactive Hazardous Sites Cleanup Fund.
8a. Repealed by Session Laws 2015-286, s. 4.7(f), effective October 22, 2015.
9. Any other information requested by the General Assembly or the Environmental Review Commission.

(a1) On or before October 1 of each year, the Department shall report to each member of the General Assembly who has an inactive hazardous substance or waste disposal site in the member's district. This report shall include the location of each inactive hazardous substance or waste disposal site in the member's district, the type and amount of hazardous substances or waste known or believed to be located on each of these sites, the last action taken at each of these sites, and the date of that last action. The Department shall include this information in the status of solid waste management report required to be submitted pursuant to G.S. 130A-309.06(c).

(b) Repealed by Session Laws 2001-452, s. 2.3, effective October 28, 2001."

**SECTION 27.(h)** G.S. 130A-310.40 reads as rewritten:

"§ 130A-310.40. Legislative reports.

The Department shall include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) an evaluation of the effectiveness of this Part in facilitating the remediation and reuse of existing industrial and commercial properties. This evaluation shall include any recommendations for additional incentives or changes, if needed, to improve the effectiveness of this Part in addressing such
properties. This evaluation shall also include a report on receipts by and expenditures from the
Brownfields Property Reuse Act Implementation Account."

SECTION 27.(i) G.S. 143-215.104U(a) reads as rewritten:
"(a) The Secretary shall include in the status of solid waste management report required
to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report
on at least the following:
...."

SECTION 27.(j) Section 14.22(j) of S.L. 2013-360 reads as rewritten:
"SECTION 14.22.(j) This section authorizes a Long Term Dredging Memorandum of
Agreement with the U.S. Army Corps of Engineers which may last beyond the current fiscal
biennium and which shall provide for all of the following:
(1) Prioritization of projects through joint consultation with the State, applicable
units of local government, and the U.S. Army Corps of Engineers.
(2) Compliance with G.S. 143-215.73F. Funds in the Shallow Draft Navigation
Channel Dredging Fund shall be used in accordance with that section.
(3) Annual reporting by the Department on the use of funds provided to the U.S.
Army Corps of Engineers under the Long Term Dredging Memorandum of
Agreement. These reports shall be made to the Joint Legislative Commission
on Governmental Operations, Joint Legislative Oversight Committee on
Agriculture and Natural and Economic Resources, the Fiscal Research
Division, and the Office of State Budget and Management and shall include
all of the following:
a. A list of all projects commenced.
b. The estimated cost of each project.
c. The date that work on each project commenced or is expected to
commence.
d. The date that work on each project was completed or is expected to be
completed.
e. The actual cost of each project."

TECHNICAL AND CONFORMING CHANGES TO SOLID WASTE STATUTES

SECTION 28.(a) G.S. 130A-4(c) reads as rewritten:
"(c) The Secretary of Environmental Quality shall administer and enforce the provisions
of Articles 9 and 10 of this Chapter and the rules of the Commission and the
Environmental Management Commission adopted thereunder."

SECTION 28.(b) G.S. 130A-22 reads as rewritten:
(a) The Secretary of Environmental Quality may impose an administrative penalty on a
person who violates Article 9 of this Chapter, rules adopted by the
Environmental Management Commission pursuant to Article 9, or any term or condition of a permit or order issued under
Article 9. Each day of a continuing violation shall constitute a separate violation. The penalty
shall not exceed fifteen thousand dollars ($15,000) per day in the case of a violation involving
nonhazardous waste. The penalty shall not exceed thirty-two thousand five hundred dollars
($32,500) per day in the case of a first violation involving hazardous waste as defined in
G.S. 130A-290 or involving the disposal of medical waste as defined in G.S. 130A-290 in or
upon water in a manner that results in medical waste entering waters or lands of the State; and
shall not exceed fifty thousand dollars ($50,000) per day for a second or further violation
involving the disposal of medical waste as defined in G.S. 130A-290 in or upon water in a manner
that results in medical waste entering waters or lands of the State. The penalty shall not exceed
thirty-two thousand five hundred dollars ($32,500) per day for a violation involving a voluntary
remedial action implemented pursuant to G.S. 130A-310.9(c) or a violation of the rules adopted
pursuant to G.S. 130A-310.12(b). For violations of Part 7 of Article 9 of this Chapter and
G.S. 130A-309.10(m): (i) a warning shall be issued for a first violation; (ii) the penalty shall not
exceed two hundred dollars ($200.00) for a second violation; and (iii) the penalty shall not exceed
five hundred dollars ($500.00) for subsequent violations. If a person fails to pay a civil penalty
within 60 days after the final agency decision or court order has been served on the violator, the
Secretary of Environmental Quality shall request the Attorney General to institute a civil action
in the superior court of any county in which the violator resides or has his or its principal place
of business to recover the amount of the assessment. Such civil actions must be filed within three
years of the date the final agency decision or court order was served on the violator.

(f) The Commission shall adopt rules concerning the imposition of administrative
penalties under G.S. 130A-309.12(b), for violations of Part 7 of Article 9 of this Chapter and
G.S. 130A-309.10(m): (i) a warning shall be issued for a first violation; (ii) the penalty shall not
exceed two hundred dollars ($200.00) for a second violation; and (iii) the penalty shall not exceed
five hundred dollars ($500.00) for subsequent violations. If a person fails to pay a civil penalty
within 60 days after the final agency decision or court order has been served on the violator, the
Secretary of Environmental Quality shall request the Attorney General to institute a civil action
in the superior court of any county in which the violator resides or has his or its principal place
of business to recover the amount of the assessment. Such civil actions must be filed within three
years of the date the final agency decision or court order was served on the violator.

...
SECTION 30.(c) G.S. 77-115(b) reads as rewritten:

"(b) The accounts and records of each commission showing the receipt and disbursement of funds from whatever source derived shall be in the form that the Auditor of North Carolina and the State Auditor of South Carolina prescribe. The accounts and records of each commission shall be subject to an annual audit by the Auditor of North Carolina and the State Auditor of South Carolina or their legal representatives. The cost of the annual audits shall be borne by each commission. The results of the audits shall be delivered as part of the annual report required by G.S. 77-117 by March 1 October 1 of each year to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the Fiscal Research Division of the General Assembly of North Carolina, and to the General Assembly of South Carolina as the General Assembly of South Carolina shall provide, as provided by the State of South Carolina."

SECTION 30.(d) G.S. 77-117 reads as rewritten:

"§ 77-117. Annual report.

The commissions shall submit annual reports, including the annual audit required by G.S. 77-115 and any recommendations, on or before October 1 of each year to the Governor of North Carolina, the Environmental Review Commission of the General Assembly of North Carolina, the Governor of South Carolina, and the General Assembly of South Carolina, as the Governor, the General Assembly of South Carolina, or the Commissioner of the South Carolina Department of Health and Environmental Control shall provide, Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the Fiscal Research Division of the General Assembly of North Carolina, and as provided by the State of South Carolina."
Article 2 of Chapter 130A of the General Statutes; (vi) constructed by a water or sewer system
organized pursuant to Chapter 162A of the General Statutes and then sold or transferred to a
municipality with a population of greater than 10,000 according to the latest decennial census;
or (vii) a local board of education; or (viii) a private water or sewer utility organized
pursuant to Chapter 62 of the General Statutes serving 10,000 or fewer customers.

(b) A municipality with a population of greater than 10,000 shall pay a percentage of the
nonbetterment cost for relocation of water and sewer lines owned by the municipality and located
within the existing State transportation project right-of-way that are necessary to be relocated for
a State transportation improvement project. The percentage shall be based on the municipality's
population, with the Department paying the remaining costs, as follows:

(1) A municipality with a population of greater than 10,000, but less than 50,000,
shall pay twenty-five percent (25%) of the cost.
(2) A municipality with a population of 50,000 or greater, but less than 100,000,
shall pay fifty percent (50%) of the cost.
(3) A municipality with a population of 100,000 or greater shall pay one hundred
percent (100%) of the cost.

SECTION 32. (b) This section is effective retroactively to March 1, 2020, and shall
apply to nonbetterment costs for State transportation improvement projects incurred on or after
that date. The Department of Transportation shall reimburse any nonbetterment costs for State
transportation improvement projects collected from a private water or sewer utility organized
pursuant to Chapter 62 of the General Statutes serving 10,000 or fewer customers after March 1,
2020.

UNDERGROUND STORAGE TANK SPILL BUCKET RULE CHANGE

SECTION 33.(a) Definitions. – For purposes of this section and its implementation,
"UST Spill Bucket General Requirement Rule" means 15A NCAC 02N .0901 (General
Requirements).

SECTION 33.(b) UST Spill Bucket General Requirement Rule. – Until the effective
date of the revised permanent rule that the Environmental Management Commission is required
to adopt pursuant to subsection (d) of this section, the Commission shall implement the UST
Spill Bucket General Requirement Rule as provided in subsection (c) of this section.

SECTION 33.(c) Implementation. – Spill buckets replaced on tanks installed prior
to November 1, 2007, may use mechanical liquid detecting sensors for interstitial leak detection
monitoring instead of electronic liquid detecting sensors. If a mechanical liquid detecting sensor
is used, then a spill bucket shall comply with all spill bucket requirements of 15A NCAC 02N
.0906 except that Subparagraphs (i)(7) and (8) of 15A NCAC 02N .0901 do not apply. In
addition, all of the following specific requirements shall be met:

(1) Mechanical liquid detecting sensors shall be located at the lowest point in the
interstitial space.
(2) Mechanical liquid detecting sensors shall detect the presence of any liquid in
the interstitial space. The presence of liquid shall register on a gauge that can
be viewed from within the spill bucket.
(3) Spill buckets shall be monitored every 30 days. The interstitial leak detection
monitoring results shall be documented for each month.
(4) Any liquid detected in the interstitial space shall be removed within 48 hours
of discovery.
(5) Spill buckets shall be integrity tested every three years in accordance with
15A NCAC 02N .0906(e).

SECTION 33.(d) Additional Rule-Making Authority. – The Commission shall adopt
a rule to amend the UST Spill Bucket General Requirement Rule consistent with subsection (c)
of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant
to this section shall be substantively identical to the provisions of subsection (c) of this section.

Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 33.(e) Applicability and Sunset. – This section and rules adopted pursuant to this section apply to all spill buckets replaced on or after July 1, 2020. This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

PREVENT FROM BECOMING EFFECTIVE RULES MODIFYING THE NORTH CAROLINA BUILDING CODE

SECTION 34. Notwithstanding G.S. 150B-21.3(b1), the following rules, as adopted by the North Carolina Building Code Council on March 10, 2020, and approved by the Rules Review Commission on May 21, 2020, shall not become effective:

1102.7 (2018 NC Plumbing Code/Fittings).

LIBRARY STATUTE CHANGES

SECTION 35.(a) G.S. 143B-68 reads as rewritten:

"§ 143B-68. Public Librarian Certification Commission – members; selection; quorum; compensation.

The Public Librarian Certification Commission of the Department of Natural and Cultural Resources shall consist of five members as follows: (i) the chairman of the public libraries section of the North Carolina Library Association, (ii) two individuals named by the Governor upon the nomination of the North Carolina Library Association, (iii) the dean, department chair, program director, or equivalent of a State or regionally accredited graduate school of librarianship in North Carolina appointed by the Governor, and (iv) one member at large appointed by the Governor.

The members shall serve four-year terms or while holding the appropriate chairmanship. Any appointment to fill a vacancy created by the resignation, dismissal, death or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Commission from office for misfeasance, malfeasance, and nonfeasance according to the provisions of G.S. 143B-13 of the Executive Organization Act of 1973.

The members of the Commission shall receive per diem, and necessary travel expenses in accordance with the provisions of G.S. 138-5.

A majority of the Commission shall constitute a quorum for the transaction of business.

All clerical and other services required by the Commission shall be supplied by the Secretary of the Department through the regular staff of the Department."

SECTION 35.(b) G.S. 143B-91 reads as rewritten:

"§ 143B-91. State Library Commission – members; selection; quorum; compensation.

(b) There shall be standing committees established to advise the Secretary of Natural and Cultural Resources, the Commission, and the State Librarian. These committees shall be: Public Library Development; Interlibrary Cooperation; State Government Information Services; State Library Development; and any other committee deemed appropriate. Each committee shall be composed of a committee chairperson and at least six-four persons appointed annually by the Secretary of Natural and Cultural Resources chair with the approval of the
Commission. At least one of the members of each committee shall be a member of the Commission. Each committee shall report to the Commission at least once a year.”

SECTION 35.(c) G.S. 125-11.13 is repealed.

ABANDONED AND DERELICT VESSELS

SECTION 36. Subdivision (10) of Section 2.1 of S.L. 2019-224 reads as rewritten:

"(10) $1,000,000 to the Wildlife Resource Commission (WRC) to inspect, investigate, and remove derelict and abandoned water, abandoned and derelict vessels. Notwithstanding any provision of law in Chapter 75A of the General Statutes, the WRC is authorized to use these and other available funds to inspect, investigate, and remove, and dispose of abandoned and derelict vessels. Prior to removing and disposing of a vessel under this subdivision, the WRC shall (i) send written notice to the last known owner of the status of the vessel if an owner can be determined and (ii) post a notice on the vessel advising that the vessel is abandoned. If no response to the written notice to owner or the notice posted on the vessel is received within 30 days indicating intent to recover while taking specific acts to remove the vessel, then the WRC may proceed with removal and disposal of the vessel. The WRC may remove and dispose of abandoned and derelict vessels on private property after receiving written permission from the property owner and following the other procedures set forth in this section. The WRC shall prioritize the use of State funds for the removal of abandoned and derelict vessels located on public waters and lands. As used in this subdivision, the phrase "abandoned and derelict vessel" means a water going craft located in a canal, or the Intracoastal Waterway that has been damaged or destroyed by weather related events and that is impeding water traffic. The phrase does not apply to a vessel that is moored to a dock or otherwise not located in an area of normal water traffic. The WRC may also remove and dispose of vessels identified by the Marine Patrol of the Division of Marine Fisheries or a vessel, as defined in G.S. 75A-2(5), that is left or stored for more than 30 days in one of the following states:

a. In a wrecked, junked, or substantially damaged or dismantled condition upon any public waters and lands of the State.

b. At a harbor or anchorage within public waters of the State without the consent of the public agency having jurisdiction thereof.

c. Docked, grounded, or beached upon the property of another without the consent of the owner of the property.”

LOCAL PLANNING AND DEVELOPMENT REGULATION CONFORMING CHANGE

SECTION 37.(a) G.S. 160D-903(a) reads as rewritten:

"(a) Bona Fide Farming Exempt From County Zoning. – County zoning regulations may not affect property used for bona fide farm purposes; provided, however, that this section does not limit zoning regulation with respect to the use of farm property for nonfarm purposes. Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For
purposes of this section, "when performed on the farm" in G.S. 106-581.1(6) shall include the
farm within the jurisdiction of the county and any other farm owned or leased to or from others
by the bona fide farm operator, no matter where located. For purposes of this section, the
production of a nonfarm product that the Department of Agriculture and Consumer Services
recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject
to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of
determining whether a property is being used for bona fide farm purposes, any of the following
shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

1. A farm sales tax exemption certificate issued by the Department of Revenue.
2. A copy of the property tax listing showing that the property is eligible for
participation in the present-use value program pursuant to G.S. 105-277.3.
3. A copy of the farm owner's or operator's Schedule F from the owner's or
operator's most recent federal income tax return.
4. A forest management plan.

A building or structure that is used for agritourism is a bona fide farm purpose if the building
or structure is located on a property that (i) is owned by a person who holds a qualifying farm
sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a)
or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to
maintain the requirements of this subsection for a period of three years after the date the building
or structure was originally classified as a bona fide farm purpose pursuant to this subsection shall
subject the building or structure to applicable zoning and development regulation ordinances
adopted by a county pursuant to subsection (a) of this section G.S. 160D-702 in effect on the date
the property no longer meets the requirements of this subsection. For purposes of this section,
"agritourism" means any activity carried out on a farm or ranch that allows members of the
general public, for recreational, entertainment, or educational purposes, to view or enjoy rural
activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting,
fishing, equestrian activities, or natural activities and attractions. A building or structure used for
agritourism includes any building or structure used for public or private events, including, but
not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and
other events that are taking place on the farm because of its farm or rural setting."

SECTION 37.(b) This section is effective when Chapter 160D of the General
Statutes becomes effective.

SECTION 38.(a) G.S. 153A-145.8, as enacted by S.L. 2020-18, reads as rewritten:
"§ 153A-145.8. Limitations on regulation of catering by bona fide farms.

Notwithstanding any other provision of law, no county may require a business located on a
property used for bona fide farm purposes, as provided in G.S. 153A-340(b), G.S. 160D-903(a),
that provides on- and off-site catering services, to obtain a permit to provide catering services
within the county. This section shall not be construed to exempt the business from any health and
safety rules adopted by a local health department, the Department of Health and Human Services,
or the Commission for Public Health."

SECTION 38.(b) G.S. 160A-203.2, as enacted by S.L. 2020-18, reads as rewritten:
"§ 160A-203.2. Limitations on regulation of catering by bona fide farms.

Notwithstanding any other provision of law, no city may require a business located on a
property used for bona fide farm purposes, as provided in G.S. 153A-340(b), G.S. 160D-903(a),
that provides on- and off-site catering services, to obtain a permit to provide catering services
within the city. This section shall not be construed to exempt the business from any health and
safety rules adopted by a local health department, the Department of Health and Human Services,
or the Commission for Public Health."

SECTION 38.(c) This section is effective when Chapter 160D of the General
Statutes becomes effective.
RESTORING CORPORATE CHARTER SUSPENDED BY TAX NONCOMPLIANCE
UNDER INSTALLMENT AGREEMENT

SECTION 39. G.S. 105-232 reads as rewritten:
"§ 105-232. Rights restored; receivership and liquidation.
(a) Any corporation or limited liability company whose articles of incorporation, articles
of organization, or certificate of authority to do business in this State has been suspended by the
Secretary of State under G.S. 105-230, that complies with all the requirements of this Subchapter
and pays all State taxes, fees, or penalties due from it (which total amount due may be computed,
for years prior and subsequent to the suspension, in the same manner as if the suspension had not
taken place), and pays to the Secretary of Revenue a fee of twenty-five dollars ($25.00) to cover
the cost of reinstatement, is entitled to exercise again its rights, privileges, and franchises in this
State. The Secretary of Revenue shall notify the Secretary of State of this compliance and the
Secretary of State shall reinstate the corporation or limited liability company by appropriate entry
upon the records of the office of the Secretary of State. Upon entry of reinstatement, it relates
back to and takes effect as of the date of the suspension by the Secretary of State and the
corporation or limited liability company resumes carrying on its business as if the suspension had
never occurred, subject to the rights of any person who reasonably relied, to that person's
prejudice, upon the suspension. The Secretary of State shall immediately notify by mail the
corporation or limited liability company of the reinstatement.

(a1) Exception. – Notwithstanding the requirement in subsection (a) of this section to pay
all State taxes, fees, or penalties due, a suspended entity that is the recipient of a loan through the
Paycheck Protection Program and otherwise complies with all the requirements of this
Subchapter is entitled to reinstatement if it enters into an installment agreement with the Secretary
of Revenue under G.S. 105-237 and pays the required fee. However, if the entity fails to make a
payment under the agreement or if the agreement is otherwise terminated by the Secretary of
Revenue, the entity is subject to the suspension requirements in G.S. 105-230. For purposes of
this subsection, the term "Paycheck Protection Program" is the program created in Sections 1102

EFFECTIVE DATE
SECTION 40. Except as otherwise provided, this act is effective when it becomes
law.