

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

**SESSION LAW 2023-132  
HOUSE BILL 8**

AN ACT TO MAKE VARIOUS CHANGES TO THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 115C-12(9d) reads as rewritten:

"(9d) Power to Develop Exit Standards and Graduation Requirements. –

a. The Board may develop exit standards that shall be required for high school graduation. The Board shall require the following for high school graduation:

1. Successful completion of instruction in cardiopulmonary resuscitation as provided in G.S. 115C-81.25(c)(10).
2. A passing grade in the semester course on the Founding Principles of the United States of America and the State of North Carolina described in G.S. 115C-81.45(d)(1).
3. A passing grade in a computer science course as provided in G.S. 115C-81.90(c). The computer science course shall fulfill one credit that is not an English, mathematics, science, or social studies credit. Students enrolling in a public high school in this State after completion of the eleventh grade shall be exempt from this requirement.

b. The following restrictions apply to the Board regarding ~~Algebra I and high school graduation projects~~: certain graduation requirements:

1. The Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I.
2. The Board shall not require any student to prepare a high school graduation project as a condition of graduation from high school; local boards of education may, however, require their students to complete a high school graduation as provided in G.S. 115C-47(54a).
3. The Board shall not enforce a computer science graduation requirement for any student whose individualized education program states that the student's disability would prevent the student from completing that graduation requirement."

**SECTION 1.(b)** When establishing the computer science graduation requirement, the State Board of Education shall not increase the current number of required credits but shall instead decrease the number of elective credits by one.



**SECTION 1.(c)** The requirements of G.S. 115C-12(9d)a.3., as amended by this section, apply beginning with students entering the ninth grade in the 2024-2025 school year.

**SECTION 2.(a)** Part 1 of Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-81.90. Computer science.**

**(a)** Required Instruction. – The State Board of Education shall include instruction in computer science in the standard course of study for middle and high school students. Computer science shall mean the study of computers and algorithmic processes, including their (i) principles, (ii) hardware and software designs, (iii) implementation, and (iv) impact on society.

**(b)** Introductory Course. – Each public school unit shall offer to middle school students an elective introductory computer science course that surveys the field of computer science. The State Board of Education, in consultation with the Department of Public Instruction, shall adopt a list of approved courses that fulfill this requirement and make it publicly available on the Department's website.

**(c)** Graduation Requirement. – Each public school unit shall offer to high school students a computer science course which includes instruction in using existing technologies and creating new technologies. The public school unit may offer such a course to middle school students. The State Board of Education, in consultation with the Department of Public Instruction, shall adopt a list of approved courses that fulfill this requirement and make it publicly available on the Department's website. A passing grade in this course, whether taken in middle school or high school, satisfies the graduation requirement established in G.S. 115C-12(9d)a.3.

**(d)** Instructional Setting. – Public school units shall ensure that computer science courses be conducted in an in-person setting when practicable. When an in-person setting is not practicable, computer science courses may be provided through enrollment in remote courses that meet the requirements of Part 11 of Article 16 of this Chapter."

**SECTION 2.(b)** The State Board of Education shall adopt the list of approved computer science courses required by G.S. 115C-81.90(c), as enacted by this section, and post it on the Department of Public Instruction's website by November 1, 2023. The State Board of Education shall adopt the list of approved introductory computer science courses required by G.S. 115C-81.90(b), as enacted by this section, and post it on the Department of Public Instruction's website by January 1, 2025.

**SECTION 2.(c)** For the 2024-2025 and 2025-2026 school years only, by July 1 of each school year, a public school unit may submit a signed notification to the Department of Public Instruction stating that a computer science course fulfilling the requirements of G.S. 115C-81.90(c), as enacted by this section, was not available to students. This submission waives the requirement to offer such a course for the school year in which the submission is made. Submission of a notification that a course fulfilling G.S. 115C-81.90(c) was not available shall waive the graduation requirement established by G.S. 115C-12(9d)a.3., as enacted by this act, for students entering the ninth grade in the school year in which the notification is submitted. The Department shall maintain a list of public school units that submitted a notification under this section.

**SECTION 2.(d)** For the 2025-2026 school year only, by July 1, a public school unit may submit a signed notification to the Department of Public Instruction stating that a computer science course fulfilling the requirements of G.S. 115C-81.90(b), as enacted by this section, was not available to students. The submission waives the requirement to offer such a course for the 2025-2026 school year.

**SECTION 2.(e)** Subsection (b) of G.S. 115C-81.90, as enacted by this section, applies beginning with the 2025-2026 school year. The remainder of subsection (a) of this section applies beginning with the 2024-2025 school year.

**SECTION 2.5.(a)** If House Bill 259, 2023 Regular Session, becomes law, Sections 1(a), 1(c), 2(a), and 2(c) of this act are repealed.

**SECTION 2.5.(b)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-83.31, as enacted by Section 7.72(a) of House Bill 259, 2023 Regular Session, reads as rewritten:

**"§ 115C-83.31. Exit standards and graduation requirements.**

- (a) The State Board of Education shall require the following for high school graduation:
- (1) Successful completion of instruction in cardiopulmonary resuscitation as provided in G.S. 115C-81.25(c)(10).
  - (2) A passing grade in the semester course on the Founding Principles of the United States of America and the State of North Carolina described in G.S. 115C-81.45(d)(1).
  - (3) A passing grade in a computer science course as provided in G.S. 115C-81.90(c). The computer science course shall fulfill one credit that is not an English, mathematics, science, or social studies credit. Students enrolling in a public high school in this State after completion of the eleventh grade shall be exempt from this requirement.
- (b) ~~The following restrictions apply to the State Board of Education regarding Algebra I and high school graduation projects:~~certain graduation requirements:
- (1) The Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I.
  - (2) The Board shall not require any student to prepare a high school graduation project as a condition of graduation from high school; local boards of education may, however, require their students to complete a high school graduation project as provided in G.S. 115C-47(54a).
  - (3) The Board shall not enforce a computer science graduation requirement for any student whose individualized education program states that the student's disability would prevent the student from completing that graduation requirement."

**SECTION 2.5.(c)** If House Bill 259, 2023 Regular Session, becomes law, the requirements of G.S. 115C-83.31(a)(3), as enacted by this act, apply beginning with students entering the ninth grade in the 2024-2025 school year.

**SECTION 2.5.(d)** If House Bill 259, 2023 Regular Session, becomes law, Part 1 of Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-81.90. Computer science.**

(a) Required Instruction. – The State Board of Education shall include instruction in computer science in the standard course of study for middle and high school students. Computer science shall mean the study of computers and algorithmic processes, including their (i) principles, (ii) hardware and software designs, (iii) implementation, and (iv) impact on society.

(b) Introductory Course. – Each public school unit shall offer to middle school students an elective introductory computer science course that surveys the field of computer science. The State Board of Education, in consultation with the Department of Public Instruction, shall adopt a list of approved courses that fulfill this requirement and make it publicly available on the Department's website.

(c) Graduation Requirement. – Each public school unit shall offer to high school students a computer science course which includes instruction in using existing technologies and creating new technologies. The public school unit may offer such a course to middle school students. The State Board of Education, in consultation with the Department of Public Instruction, shall adopt a list of approved courses that fulfill this requirement and make it publicly available on the

Department's website. A passing grade in this course, whether taken in middle school or high school, satisfies the graduation requirement established in G.S. 115C-83.31(a)(3).

(d) Instructional Setting. – Public school units shall ensure that computer science courses be conducted in an in-person setting when practicable. When an in-person setting is not practicable, computer science courses may be provided through enrollment in remote courses that meet the requirements of Part 11 of Article 16 of this Chapter."

**SECTION 2.5.(e)** If House Bill 259, 2023 Regular Session, becomes law, for the 2024-2025 and 2025-2026 school years only, by July 1 of each school year, a public school unit may submit a signed notification to the Department of Public Instruction stating that a computer science course fulfilling the requirements of G.S. 115C-81.90(c), as enacted by this section, was not available to students. This submission waives the requirement to offer such a course for the school year in which the submission is made. Submission of a notification that a course fulfilling G.S. 115C-81.90(c) was not available shall waive the graduation requirement established by G.S. 115C-83.81(a)(3), as enacted by this act, for students entering the ninth grade in the school year in which the notification is submitted. The Department shall maintain a list of public school units that submitted a notification under this section.

**SECTION 2.6.(a)** If House Bill 259, 2023 Regular Session, becomes law, Sections 8A.6(k) and 8A.6(l) of that act are repealed.

**SECTION 2.6.(b)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-83.31, as enacted by Section 7.72(a) of House Bill 259, 2023 Regular Session, and amended by Section 2.5(b) of this act, reads as rewritten:

**"§ 115C-83.31. Exit standards and graduation requirements.**

...

(b) The following restrictions apply to the State Board of Education regarding certain graduation requirements:

- (1) The Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I.
- (2) The Board shall not require any student to prepare a high school graduation project as a condition of graduation from high school; ~~local boards of education may, however, require their students to complete a high school graduation project as provided in G.S. 115C-47(54a).~~ school.
- (3) The Board shall not enforce a computer science graduation requirement for any student whose individualized education program states that the student's disability would prevent the student from completing that graduation requirement.

(c) The State Board of Education shall develop a sequence of courses that shall be available in all local school administrative units to allow a student to complete the credits required for graduation in a three-year period. The Board shall indicate on a student's transcript if the student graduates from a public high school within three years of entering the ninth grade. A local board of education shall not require any additional credits beyond those mandated by the Board for high school graduation."

**SECTION 2.6.(c)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-47(53a), as enacted by Section 8A.6(o) of House Bill 259, 2023 Regular Session, reads as rewritten:

"(53a) To Encourage Early High School Graduation. – Local boards of education shall offer a sequence of courses in accordance with ~~G.S. 115C-12(9d)~~ G.S. 115C-83.31(c) and ~~to~~ shall advise students using this sequence to graduate within three years of entering the ninth grade of the availability of

early graduate scholarships under Part 7 of Article 23 of Chapter 116 of the General Statutes."

**SECTION 2.6.(d)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-218.85(a)(6), as enacted by Section 8A.6(p) of House Bill 259, 2023 Regular Session, reads as rewritten:

~~"(6)~~(7) A charter school may offer a sequence of courses in accordance with ~~G.S. 115C-12(9d)~~G.S. 115C-83.31(c) and shall advise students using this sequence to graduate within three years of entering the ninth grade of the availability of early graduate scholarships under Part 7 of Article 23 of Chapter 116 of the General Statutes."

**SECTION 2.6.(e)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-238.66(1)f., as enacted by Section 8A.6(q) of House Bill 259, 2023 Regular Session, reads as rewritten:

~~"f.g.~~ The board of directors may offer a sequence of courses in accordance with ~~G.S. 115C-12(9d)~~G.S. 115C-83.31(c) and shall advise students using this sequence to graduate within three years of entering the ninth grade of the availability of early graduate scholarships under Part 7 of Article 23 of Chapter 116 of the General Statutes."

**SECTION 2.6.(f)** If House Bill 259, 2023 Regular Session, becomes law, Section 8A.6(r) of that act reads as rewritten:

**"SECTION 8A.6.(r)** Governing bodies of other public school units that offer a sequence of courses in accordance with ~~G.S. 115C-12(9d)~~G.S. 115C-83.31(c) and all local boards of education shall report to the Department of Public Instruction on the number of rising eleventh graders utilizing the sequence of courses to complete the credits required for graduation in a three-year period by May 15, 2025, and May 15, 2026. The Department of Public Instruction shall report the total number of rising eleventh graders utilizing the sequence of courses to complete the credits required for graduation in a three-year period by public school unit to the Fiscal Research Division by June 1, 2025, and June 1, 2026."

**SECTION 3.(a)** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(6) A charter school shall provide computer science instruction as required by G.S. 115C-81.90."

**SECTION 3.(b)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"f. The board of directors shall ensure that computer science instruction is provided as required by G.S. 115C-81.90."

**SECTION 3.(c)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"e. The chancellor shall ensure that computer science instruction is provided as required by G.S. 115C-81.90."

**SECTION 3.(d)** Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4b) G.S. 115C-81.90, Computer science."

**SECTION 3.1.(a)** G.S. 116-11 is amended by adding a new subdivision to read:

"(3c) The Board of Governors shall adopt a policy requiring constituent institutions to be accredited in accordance with G.S. 116-11.4."

**SECTION 3.1.(b)** Article 1 of Chapter 116 of the General Statutes is amended by adding a new section to read:

**"§ 116-11.4. Accreditation.**

(a) Definitions. – The following definitions apply in this section:

- (1) Accreditation cycle. – The period of time during which a constituent institution of The University of North Carolina is accredited.
- (2) Accrediting agency. – An agency or association that accredits institutions of higher education.
- (3) Regional accrediting agency. – One of the following accrediting agencies:
  - a. Higher Learning Commission.
  - b. Middle States Commission on Higher Education.
  - c. New England Commission on Higher Education.
  - d. Northwest Commission on Colleges and Universities.
  - e. Southern Association of Colleges and Schools Commission on Colleges.
  - f. Western Association of Schools and Colleges Senior College and University Commission.

(b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A constituent institution of The University of North Carolina shall not receive accreditation by an accrediting agency for consecutive accreditation cycles except as provided in subsection (c) of this section.

(c) Accreditation Transfer Procedure. – A constituent institution that pursues accreditation with a different accrediting agency in accordance with this section shall pursue accreditation with a regional accrediting agency. If the constituent institution is not granted candidacy status by any regional accrediting agency that is different from its current accrediting agency at least three years prior to the expiration of its current accreditation, the constituent institution may remain with its current accrediting agency for an additional accreditation cycle.

(d) Certain Programs Exempt. – The requirements of this section do not apply to professional, graduate, departmental, or certificate programs at constituent institutions that have specific accreditation requirements or best practices, including law, pharmacy, engineering, and other similar educational programs, as identified by the Board of Governors of The University of North Carolina.

(e) Cause of Action. – A constituent institution may bring a civil action, as follows:

- (1) Against any person who makes a false statement to the accrediting agency of the constituent institution, if all of the following criteria are met:
  - a. The statement, if true, would mean the constituent institution is out of compliance with its accreditation standards.
  - b. The person made the statement with knowledge that the statement was false or with reckless disregard as to whether it was false.
  - c. The accrediting agency conducted a review of the constituent institution as a proximate result of the statement.
  - d. The review caused the constituent institution to incur costs.
- (2) A constituent institution that prevails on a cause of action initiated pursuant to this subsection shall be entitled to the following:
  - a. Costs related to the review conducted by the accrediting agency, including for the following:
    - 1. Additional hours worked by university personnel.
    - 2. Contracted services, including outside legal counsel.
    - 3. Travel, lodging, and food expenses.
    - 4. Fees required by the agency.
  - b. Reasonable attorney fees.
  - c. Court costs."

**SECTION 3.1.(c)** This section is effective when it becomes law and applies to applications for accreditation submitted by constituent institutions on or after that date.

**SECTION 3.2.(a)** G.S. 115D-5 is amended by adding a new subsection to read:

"(f1) The State Board shall adopt a policy requiring community colleges to be accredited in accordance with G.S. 115D-6.2."

**SECTION 3.2.(b)** Article 1 of Chapter 115D of the General Statutes is amended by adding a new section to read:

**"§ 115D-6.2. Accreditation.**

(a) Definitions. – The following definitions apply in this section:

- (1) Accreditation cycle. – The period of time during which a community college is accredited.
- (2) Accrediting agency. – An agency or association that accredits institutions of higher education.
- (3) Regional accrediting agency. – One of the following accrediting agencies:
  - a. Higher Learning Commission.
  - b. Middle States Commission on Higher Education.
  - c. New England Commission on Higher Education.
  - d. Northwest Commission on Colleges and Universities.
  - e. Southern Association of Colleges and Schools Commission on Colleges.
  - f. Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges.

(b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A community college shall not receive accreditation by an accrediting agency for consecutive accreditation cycles except as provided in subsection (c) of this section.

(c) Accreditation Transfer Procedure. – A community college that pursues accreditation with a different accrediting agency in accordance with this section shall pursue accreditation with a regional accrediting agency. If the community college is not granted candidacy status by any regional accrediting agency that is different from its current accrediting agency at least three years prior to the expiration of its current accreditation, the community college may remain with its current accrediting agency for an additional accreditation cycle.

(d) Certain Programs Exempt. – The requirements of this section do not apply to professional, departmental, or certificate programs at community colleges that have specific accreditation requirements or best practices, as identified by the State Board of Community Colleges.

(e) Cause of Action. – A community college may bring a civil action, as follows:

- (1) Against any person who makes a false statement to the accrediting agency of the community college, if all of the following criteria are met:
  - a. The statement, if true, would mean the community college is out of compliance with its accreditation standards.
  - b. The person made the statement with knowledge that the statement was false or with reckless disregard as to whether it was false.
  - c. The accrediting agency conducted a review of the community college as a proximate result of the statement.
  - d. The review caused the community college to incur costs.
- (2) A community college that prevails on a cause of action initiated pursuant to this subsection shall be entitled to the following:
  - a. Costs related to the review conducted by the accrediting agency, including for the following:
    1. Additional hours worked by community college personnel.
    2. Contracted services, including outside legal counsel.
    3. Travel, lodging, and food expenses.
    4. Fees required by the agency.
  - b. Reasonable attorney fees.

c. Court costs."

**SECTION 3.2.(c)** This section is effective when it becomes law and applies to applications for accreditation submitted by community colleges on or after that date.

**SECTION 3.3.** The Board of Governors of The University of North Carolina shall establish a Commission to study alternatives to the current process by which institutions of higher education are accredited and shall invite stakeholders, including stakeholders from other states, to participate. The Board of Governors shall provide an interim report on the Commission's efforts to recruit stakeholders to participate to the Joint Legislative Education Oversight Committee by January 1, 2024. The Commission shall report any findings it develops to the Joint Legislative Education Oversight Committee by September 1, 2024.

**SECTION 3.4.(a)** G.S. 90-631(b) reads as rewritten:

"(b) A massage and bodywork therapy program operated by a North Carolina community college that is accredited by ~~the Southern Association of Colleges and Schools~~ a regional accrediting agency, as defined in G.S. 115D-6.2, is exempt from the approval process, licensure process, or both, established by the Board. The college shall certify annually to the Board that the program meets or exceeds the minimum standards for curriculum, faculty, and learning resources established by the Board. Students who complete the program shall qualify for licenses from the Board as if the program were approved, licensed, or both, by the Board."

**SECTION 3.4.(b)** G.S. 93A-4(a2) reads as rewritten:

"(a2) A certified real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to the Commission for each licensee completing a postlicensing education course conducted by the school, provided that these fees shall not be charged to a community college, junior college, college, or university located in this State and accredited by ~~the Southern Association of Colleges and Schools~~ a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively."

**SECTION 3.4.(c)** G.S. 93A-38.5(e) reads as rewritten:

"(e) The Commission may establish a nonrefundable course application fee to be charged to private real estate education providers for the review and approval of a proposed continuing education course. The fee shall not exceed one hundred twenty-five dollars (\$125.00) per course. The Commission may charge the private real estate education providers of an approved course a nonrefundable fee not to exceed seventy-five dollars (\$75.00) for the annual renewal of course approval.

A private real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to the Commission for each licensee completing an approved continuing education course conducted by the sponsor.

The Commission shall not charge a course application fee, a course renewal fee, or any other fee for a continuing education course sponsored by a community college, junior college, college, or university located in this State and accredited by ~~the Southern Association of Colleges and Schools~~ a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively."

**SECTION 3.4.(d)** G.S. 93E-1-7(b2) reads as rewritten:

"(b2) The Board shall not charge a course application fee, a course renewal fee, or any other fee for a continuing education course offered by a North Carolina college, university, junior college, or community or technical college accredited by ~~the Southern Association of Colleges and Schools~~ a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or an agency of the federal, State, or local government."

**SECTION 3.4.(e)** G.S. 93E-1-8 reads as rewritten:

**"§ 93E-1-8. Education program approval and fees.**

...

(b) The Board may by rule set nonrefundable fees chargeable to private real estate appraisal schools or course sponsors, including appraisal trade organizations, for the approval

and annual renewal of approval of their qualifying courses required by G.S. 93E-1-6(a), or equivalent courses. The fees shall be one hundred dollars (\$100.00) per course for approval and fifty dollars (\$50.00) per course for renewal of approval. No fees shall be charged for the approval or renewal of approval to conduct appraiser qualifying courses where such courses are offered by a North Carolina college, university, junior college, or community or technical college accredited by ~~the Southern Association of Colleges and Schools, a regional accrediting agency,~~ as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or an agency of the federal, State, or local government.

...

(d) Nonrefundable fees of one hundred dollars (\$100.00) per course may be charged to schools and course sponsors for the approval to conduct appraiser continuing education courses and fifty dollars (\$50.00) per course for renewal of approval. However, no fees shall be charged for the approval or renewal of approval to conduct appraiser continuing education courses where such courses are offered by a North Carolina college, university, junior college, or community or technical college accredited by ~~the Southern Association of Colleges and Schools, a regional accrediting agency,~~ as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or by an agency of the federal, State, or local government. A nonrefundable fee of fifty dollars (\$50.00) per course may be charged to current or former licensees or certificate holders requesting approval by the Board of a course for continuing education credit when approval of such course has not been previously obtained by the offering school or course sponsor."

**SECTION 3.4.(f)** G.S. 116-201(b)(8) reads as rewritten:

"(8) "Private institution" means an institution other than a seminary, Bible school, Bible college or similar religious institution in this State that is not owned or operated by the State or any agency or political subdivision thereof, or by any combination thereof, that offers post-high school education and is accredited by a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, or the Transnational Association of Christian Colleges and Schools, ~~the Southern Association of Colleges and Schools~~ or, in the case of institutions that are not eligible to be considered for accreditation, accredited in those categories and by those nationally recognized accrediting agencies that the Authority may designate;"

**SECTION 3.4.(g)** G.S. 116-280(3) reads as rewritten:

"(3) Eligible private postsecondary institution. – A school that is any of the following:

- a. A nonprofit postsecondary educational institution with a main permanent campus located in this State that is not owned or operated by the State of North Carolina or by an agency or political subdivision of the State or by any combination thereof that satisfies all of the following:
  1. Is either (i) accredited by a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, or the Transnational Association of Christian Colleges and Schools ~~the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) or by the New England Association of Schools and Colleges through its Commission of Higher Education~~ or (ii) was accredited by SACSCOC on January 1, 2021, and, beginning January 1, 2021, was a member of the Transnational Association of Christian Colleges and Schools.
  2. Awards a postsecondary degree as defined in G.S. 116-15.
- b. A postsecondary institution owned or operated by a hospital authority as defined in G.S. 131E-16(14) or school of nursing affiliated with a

nonprofit postsecondary educational institution as defined in sub-subdivision a. of this subsection."

**SECTION 3.4.(h)** G.S. 115D-5(a) reads as rewritten:

"(a) The State Board of Community Colleges may adopt and execute such policies, regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

...  
The State Board of Community Colleges shall require ~~all community colleges each community college~~ to meet the faculty credential requirements of ~~the Southern Association of Colleges and Schools~~ its accrediting agency for all community college programs."

**SECTION 3.4.(i)** G.S. 130A-309.28 reads as rewritten:

**"§ 130A-309.28. University research.**

Research, training, and service activities related to solid and hazardous waste management conducted by The University of North Carolina shall be coordinated by the Board of Governors of The University of North Carolina through the Office of the President. Proposals for research contracts and grants; public service assignments; and responses to requests for information and technical assistance by the State and units of local government, business, and industry shall be addressed by a formal process involving an advisory board of university personnel appointed by the President and chaired and directed by an individual appointed by the President. The Board of Governors of The University of North Carolina shall consult with the Department in developing the research programs and provide the Department with a copy of the proposed research program for review and comment before the research is undertaken. Research contracts shall be awarded to independent nonprofit colleges and universities within the State which are accredited by ~~the Southern Association of Colleges and Schools~~ a regional accrediting agency, as defined in G.S. 116-11.4, on the same basis as those research contracts awarded to The University of North Carolina. Research activities shall include the following areas:

- (1) Methods and processes for recycling solid and hazardous ~~waste; waste.~~
- (2) Methods of treatment for detoxifying hazardous ~~waste; and waste.~~
- (3) Technologies for disposing of solid and hazardous waste."

**SECTION 3.10** If House Bill 259, 2023 Regular Session, becomes law, subdivision (4) of Section 8.5(a) of that act reads as rewritten:

"(4) Hire at least 10 and no more than 20 faculty members from outside the University of North Carolina at Chapel Hill. These faculty members shall be hired with permanent tenure or be eligible to receive permanent tenure in accordance with policies adopted by The Board of Governors of The University of North Carolina and the University of North Carolina at Chapel Hill. ~~The School shall not hire any faculty member without approval of the dean of the School.~~ All faculty hired by or appointed to the School shall be subject to the approval of the dean of the School. Faculty members may hold joint or courtesy appointments with other existing units of the University of North Carolina at Chapel Hill."

**SECTION 3.20.(a)** Chapter 66 of the General Statutes is amended by adding a new Article to read:

"Article 51.

"Commercial Publication and Distribution of Material Harmful to Minors.

**"§ 66-500. Short title; definitions.**

(a) This Article shall be known as the Pornography Age Verification Enforcement Act or the PAVE Act.

(b) The following definitions shall apply to this Article:

- (1) Commercial entity. – Corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.
- (2) Distribute. – To issue, sell, give, provide, deliver, transfer, transmute, circulate, or disseminate by any means.
- (3) Harmful to minors. – As defined in G.S. 14-190.13.
- (4) Internet. – The international computer network of both federal and non-federal interoperable packet switched data networks.
- (5) Material. – As defined in G.S. 14-190.13.
- (6) News-gathering organization. – Any of the following:
  - a. An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this sub-subdivision, who can provide documentation of such employment with the newspaper, news publication, or news source.
  - b. A radio broadcast station, television broadcast station, cable television operator, or wire service, or an employee of a radio broadcast station, television broadcast station, cable television operator, or wire service.
- (7) Publish. – To communicate or make information available to another person or entity on a publicly available internet website.
- (8) Substantial portion. – More than thirty-three and one-third percent (33 1/3%) of total material on a website, which meets the definition of material harmful to minors as defined in this subsection.

**"§ 66-501. Age verification requirements for commercial publication and distribution of material harmful to minors; civil liability.**

(a) Age verification required. – Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall, through use of (i) a commercially available database that is regularly used by businesses or governmental entities for the purpose of age and identity verification, or (ii) another commercially reasonable method of age and identity verification, verify the age of the individuals attempting to access the material.

(b) No data retention. – Any commercial entity, or third party that performs the required age verification on behalf of the commercial entity, shall not retain any identifying information of the individual after access has been granted to the material.

(c) Civil liability. – Any commercial entity, or third party that performs the required age verification on behalf of the commercial entity, shall be subject to civil liability for any violation of this section.

(d) Cause of Action. – A civil action may be brought against any commercial entity, or third party that performs the required age verification on behalf of the commercial entity, that violates this section by any of the following:

- (1) A parent or guardian whose minor was allowed access to the material.
- (2) Any person whose identifying information is retained in violation of this section.

(e) Relief and damages – Any person authorized to institute a civil action by subsection (d) of this section may seek and a court may award any or all of the following types of relief:

- (1) An injunction to enjoin continued violation of this section.
- (2) Compensatory and punitive damages.
- (3) All costs, expenses, and fees related to the civil suit investigation and proceedings associated with the violation, including attorney's fees.

Any judgment awarded under this section shall be subject to legal interest as provided in G.S. 24-5.

(f) News gathering organizations. – This section shall not apply to any bona fide news or public interest broadcast, website, video, report, or event and shall not be construed to affect the rights of any news-gathering organization.

(g) Internet providers. – No internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under the control of that provider, including transmission, downloading, intermediate storage, access software, or other related capabilities, to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors."

**SECTION 3.20.(b)** This section becomes effective January 1, 2024, and applies to websites accessed on or after that date.

**SECTION 4.** Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 22<sup>nd</sup> day of September, 2023.

s/ Phil Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 4:08 p.m. this 29<sup>th</sup> day of September, 2023