

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 445
Health Care Committee Substitute Adopted 4/17/25
House Committee Substitute Favorable 5/20/26
House Committee Substitute #2 Favorable 6/2/26
Fifth Edition Engrossed 6/3/26

Short Title: Regulatory Reform Act of 2026.

(Public)

Sponsors:

Referred to:

March 25, 2025

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH
CAROLINA.

The General Assembly of North Carolina enacts:

PART I. ENVIRONMENT AND NATURAL RESOURCES REFORMS

REPEAL 2023 FISHERIES HARVEST REPORTING REQUIREMENT

SECTION 1.(a) G.S. 113-170.3(d), (e), (f), and (g) are repealed.

SECTION 1.(b) The catch line of G.S. 113-170.3 reads as rewritten:

"§ 113-170.3. **Record-keeping requirements; mandatory reporting for certain fisheries requirements.**"

MOVE ARBOR WEEK FROM MARCH TO NOVEMBER

SECTION 3. G.S. 103-6 reads as rewritten:

"§ 103-6. **Arbor Week.**

The week in ~~March~~ November of each year containing ~~March~~ November 15 is hereby designated as Arbor Week in North Carolina."

INCREASE CIVIL PENALTY FOR WATER THEFT

SECTION 4.(a) G.S. 14-151 reads as rewritten:

"§ 14-151. **Interfering with gas, electric, ~~and steam~~ steam, and water appliances or meters; penalties.**

(a) It is unlawful for any person to willfully, with intent to injure or defraud, commit any of the following acts:

...

- (4) Make any connection or reconnection with the gas mains, water pipes, service pipes, or wires of any person, furnishing to consumers natural or artificial gas, water, or electricity, or turn on or off or in any manner interfere with any valve or stopcock or other appliance belonging to that person, and connected with the person's service or other pipes or wires, or enlarge the orifices of mixers, or use natural gas for heating purposes except through mixers, or electricity for any purpose without first procuring from the person a written permit to



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turn on or off the stopcock or valve, or to make the connection or reconnections, or to enlarge the orifice of mixers, or to use for heating purposes without mixers, or to interfere with the valves, stopcocks, wires, or other appliances of them, as the case may be. For the purposes of this subsection, "water pipes" means water pipes, fire hydrants, flushing assemblies, blow-offs, sampling stations, and all other appurtenances connected to a water distribution system, whether above or below ground.

...

(e) Whoever is found in a civil action to have violated any provision of this section is liable to the electric, gas, or water supplier in triple the amount of losses and damages sustained or five thousand dollars (\$5,000), whichever is ~~greater~~. except that whoever is found in a civil action to have violated subdivision (a)(4) of this section by the connection or reconnection with any water pipe is liable to the water supplier in triple the amount of losses and damages sustained or ten thousand dollars (\$10,000), whichever is greater, and attorneys' fees.

...."

SECTION 4.(b) This section becomes effective December 1, 2026, and applies to offenses committed on or after that date.

ALLOW LIQUEFIED PETROLEUM GAS REFILLS DURING EMERGENCIES

SECTION 5.(a) G.S. 119-54(a) reads as rewritten:

"(a) It is the purpose of this Article to provide for the adoption and promulgation of a code of safety, and such rules and regulations setting forth minimum general standards of safety for the design, construction, location, installation, and operation of the equipment used in handling, storing, measuring, transporting, distributing, and utilizing liquefied petroleum gases and to provide for the administration and enforcement of the code and such rules and regulations thereby adopted. Words used in this Article shall be defined as follows:

- (1) "Board" means the North Carolina Board of Agriculture.
- (2) "Commissioner" means the Commissioner of Agriculture or his designated agent.
- (3) "Dealer" means any person, firm, or corporation who is engaged in or desires to engage in:
 - a. The business of selling or otherwise dealing in liquefied petroleum gases which require handling, storing, measuring, transporting, or distributing liquefied petroleum gas; or
 - b. The business of installing, servicing, repairing, adjusting, connecting, or disconnecting containers, equipment, or appliances which use liquefied gas. A person who engages in any of the aforementioned activities only in connection with his or his employer's use of liquefied petroleum gas and not as a business shall not be deemed to be a "dealer" for the purposes of this Article.
- (3a) "Emergency supplier" means a Class A dealer that provides liquefied petroleum gas to a consumer during a qualifying emergency, pursuant to G.S. 119-58(c).
- (4) "Liquefied petroleum gas" means any material which is composed predominantly of any of the following hydrocarbons, or mixtures of the same: propane, propylene, butanes (normal butanes or isobutane), butylenes.
- (5) "Qualifying emergency" means (i) a state of emergency as declared by the Governor, General Assembly, or the governing body of a municipality or county pursuant to Article 1A of Chapter 166A of the General Statutes, (ii) a state of emergency declared by the President of the United States, (iii) when severe weather or similar circumstances exist that may result in a person being

placed in imminent danger of death or injury due to lack of heat caused by a lack of liquefied petroleum gas, or (iv) when a waiver from delivery limitations affecting the delivery of liquefied petroleum gas has been lawfully ordered."

SECTION 5.(b) G.S. 119-58 reads as rewritten:

"§ 119-58. Unlawful acts.

...

(b) Every supply tank or container with a total capacity greater than 5 gallons and with its regulating equipment connected in a service system, shall be identified while in service by the supplier with an attached tag, label, or other marking that includes the ~~name~~ name and contact information of the person supplying liquefied petroleum gas to the ~~system, and system, and the~~ name of the tank or container owner. Except as provided in subsection (c) of this section, it shall be unlawful for any person, other than the supplier or the owner of the system, to disconnect, interrupt or fill the system with liquefied petroleum gas without the consent of the supplier. If another registered supplier is requested by the consumer to connect service and is given permission by the consumer to do so, the new supplier shall notify the former supplier before disconnecting the former service and connecting the new service and shall cap or plug all disconnected equipment ~~outlets~~ outlets, perform a leak test, and leave the equipment in a condition consistent with this Article and the rules adopted pursuant to this Article.

(c) When a qualifying emergency is in effect, a person other than the supplier or the owner of the system may fill or refill a properly inspected system, as required by law, with liquefied petroleum gas, provided the following conditions are met:

- (1) The consumer demonstrates that they have less than a twenty percent (20%) supply of liquefied petroleum gas remaining in the tank or container for use as the primary energy for heating or cooking.
- (2) The consumer makes a good-faith effort to procure delivery of liquefied petroleum gas from the current supplier or owner.
- (3) The current supplier or owner is unable to make a scheduled fill or refill within three business days of the good-faith procurement effort.
- (4) The emergency supplier makes a good-faith effort to contact and obtain consent from the current supplier to conduct the emergency refill before attempting to do so.
- (5) The emergency supplier attaches a nonpermanent tag to the tank or container that includes the name, address, and contact information of the emergency supplier, as well as the date of the emergency service. The tag shall not deface or otherwise obstruct any name, tag, label, or other marking on the tank or container.
- (6) The emergency supplier provides no more than twenty percent (20%) of the capacity of the tank or container in liquefied petroleum gas as part of the emergency refill performed pursuant to this subsection.
- (7) The emergency supplier makes a good-faith effort to notify the current supplier or owner promptly after the emergency service and, within five days after an emergency fill or refill has occurred, provides to the current supplier or owner written documentation of (i) the name and address of the customer and of the emergency supplier, (ii) the date of delivery, (iii) the approximate amount of liquefied petroleum gas that was delivered, (iv) whether or not a leak was detected by the emergency supplier, and (v) the services provided to address any leak detected, as needed."

SECTION 5.(c) G.S. 119-59 reads as rewritten:

"§ 119-59. Sanctions for violations.

(a) Criminal. – A dealer who violates a provision of this Article or a rule adopted under it is guilty of a Class 1 ~~misdemeanor~~misdemeanor, except that any person that violates G.S. 119-58(b) is guilty of a Class A1 misdemeanor.

(b) Injunction. – The Commissioner or an agent of the Commissioner may apply to any superior court judge and the court may temporarily restrain or preliminarily or permanently enjoin any violation of this Article or a rule adopted under it.

(c) Civil Penalty. – The Commissioner may assess a civil penalty against any person who violates a provision of this Article or a rule adopted under it. The penalty may not exceed three hundred dollars (\$300.00) for the first violation, five hundred dollars (\$500.00) for a second violation, and one thousand dollars (\$1,000) for a third or subsequent ~~violation~~violation. The Commission may assess a civil penalty against any person who violates G.S. 119-58(b) of up to one thousand dollars (\$1,000) for the first violation, up to two thousand dollars (\$2,000) for a second violation, and up to three thousand dollars (\$3,000) for a third or subsequent violation. In determining the amount of a penalty, the Commissioner shall consider the degree and extent of harm or potential harm that has resulted or could have resulted from the violation. The clear proceeds of civil penalties assessed pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(d) Registration. – The Commissioner may deny, suspend, or revoke the registration of a dealer who violates a provision of this Article or a rule adopted under it."

SECTION 5.(d) G.S. 119-60 reads as rewritten:

"§ 119-60. Liquefied petroleum gas accidents; liability limitations.

Any person who provides assistance upon request of any police agency, fire department, rescue or emergency squad, or any governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission or storage of liquefied petroleum gas, when the reasonably apparent circumstances require prompt decisions and actions, or any person acting as an emergency supplier pursuant to G.S. 119-58(c), shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance unless such acts or omissions amount to willful or wanton negligence or intentional wrongdoing. Nothing in this section shall be deemed or construed to relieve any person from liability for civil damages (a) where the accident or emergency referred to above involved his own facilities or equipment or (b) resulting from any act of commission or omission on his part in the course of providing care or assistance in the normal and ordinary course of conducting his own business or profession, nor shall this section be construed to relieve from liability for civil damages any other tortfeasor not referred to herein. When the assistance takes the form of rendering first aid or emergency health care treatment, questions of liability shall be governed by G.S. 90-21.14."

SECTION 5.(e) Notwithstanding G.S. 119-59, the Department of Agriculture and Consumer Services shall only issue warnings for the failure of a supplier, pursuant to G.S. 119-58(b), to either attach a tag, label, or other marking to a tank or container that includes the address and contact information of the person supplying liquefied petroleum gas to the system and that identifies whether the tank or container is owned by the supplier, or to conduct a leak test.

SECTION 5.(f) This section becomes effective December 1, 2026, and applies to offenses committed on or after that date. Subsection (e) of this section expires December 1, 2027.

TIME LIMIT FOR DETERMINING NONCOMMERCIAL UST DISCHARGE RISK AND REQUIRING FURTHER REMEDIATION FOR CERTAIN LOW-RISK DISCHARGES

SECTION 6.(a) G.S. 143-215.94V is amended by adding a new subsection to read:

"(d1) For noncommercial tanks where the Commission has received the information required by subsection (c) of this section from an owner, operator, or landowner, the Commission

shall, within five years of receipt of such information: (i) determine the level of risk of the discharge, and cleanup or other measures to be required; and (ii) notify the owner, operator, or landowner of that determination. For a discharge determined to be low-risk from a noncommercial tank, if the Commission fails to notify the owner, operator, or landowner in the required time frame, the Commission shall be prohibited from requiring cleanup, further cleanup, or further action, including filing of a Notice of Residual Petroleum pursuant to G.S. 143B-279.9 and G.S. 143B-279.11, unless the Commission later determines that the discharge or release poses an unacceptable level of risk or a potentially unacceptable level of risk to human health or the environment in which case the Commission shall produce written findings of fact sufficient to demonstrate an unacceptable level of risk, or a potentially unacceptable level of risk. Nothing in this section shall be construed to impair the Department's and Commission's continuing authority to require cleanup, further cleanup, or further action, including filing of a Notice of Residual Petroleum pursuant to G.S. 143B-279.9 and G.S. 143B-279.11, for noncommercial tanks with discharges determined to be intermediate or high-risk, notwithstanding any requirement of this subsection."

SECTION 6.(b) This section is effective when it becomes law and applies to discharges occurring before, on, or after that date as follows: (i) for discharges from noncommercial tanks occurring five or more years prior to the effective date of this section for which the Commission has not previously notified an owner, operator, or landowner of its determination as to the level of risk of the discharge, and actions required in response to the discharge, the Commission shall have one year from the effective date of this section to notify the owner, operator, or landowner accordingly; and (ii) for all other discharges occurring before the effective date of this section for which the Commission has not previously notified an owner, operator, or landowner of its determination as to the level of risk of the discharge, and actions required in response to the discharge, the Commission shall have five years from the effective date of this section to notify the owner, operator, or landowner accordingly.

PART II. EDUCATION REFORMS

ALLOW STUDENTS TO COMPLETE SURVEYS ASSOCIATED WITH NATIONALLY NORM-REFERENCED COLLEGE ADMISSIONS TESTS

SECTION 7.(b) G.S. 115C-174.11(c)(4) reads as rewritten:

"(4) ~~To the extent funds are made available, the State Board of Education shall use a competitive bid process to adopt one nationally norm-referenced college admissions test to make available to local school administrative units, regional schools, and charter schools to administer to all students in the eleventh grade unless the student has already taken a comparable test and scored at or above a level set by the State Board. The State Board of Education shall require the administration of an alternate to the nationally norm-referenced college admissions test or an alternate precursor test to the nationally norm-referenced college admissions test to a student who (i) exhibits severe and pervasive delays in all areas of conceptual, linguistic, and academic development and in adaptive behaviors, including communication, daily living skills, and self-care, (ii) is following the extended content standards of the Standard Course of Study as provided in G.S. 115C-81.5, or is following a course of study that, upon completing high school, may not lead to admission into a college-level course of study resulting in a college degree, and (iii) has a written parental request for an alternate assessment.~~

~~The State Board of Education shall ensure that parents of students enrolled in all public schools, including charter and regional schools, have the~~

~~necessary information to make informed decisions regarding participation in the nationally norm-referenced college admissions test and precursor test.~~

~~Alternate assessment and nationally norm-referenced college admissions test assessment results of students with disabilities shall be included in school accountability reports, including charter and regional schools, provided by the State Board of Education. The State Board of Education shall adopt and make available to public school units one nationally norm-referenced college admissions test pursuant to G.S. 115C-174.23."~~

SECTION 7.(c) Part 5 of Article 10A of Chapter 115C of the General Statutes is amended by adding to the Part G.S. 115C-174.22 from Part 4 of that Article.

SECTION 7.(d) Part 5 of Article 10A of Chapter 115C of the General Statutes, as amended by subsection (c) of this section, reads as rewritten:

"Part 5. Career and College Readiness.

"§ 115C-174.22. Tools for student learning.

To the extent funds are made available for this purpose, and except as otherwise provided in ~~G.S. 115C-174.11(c)(4), G.S. 115C-174.23,~~ the State Board shall plan for and require the administration of diagnostic tests in the eighth and tenth grades that align to the nationally norm-referenced college admissions test adopted by the State Board through the competitive bid process pursuant to ~~G.S. 115C-174.11(c)(4), G.S. 115C-174.23(a).~~ The results of the tests shall be used to help diagnose student learning and provide for students an indication of whether they are on track to be remediation free at a community college or university.

"§ 115C-174.23. Nationally norm-referenced college admissions test.

(a) To the extent funds are made available, the State Board of Education shall use a competitive bid process to adopt one nationally norm-referenced college admissions test. The State Board shall make the test available to public school units to administer to all students in the eleventh grade unless the student has completed a comparable test and scored at or above a level set by the State Board.

(b) The State Board shall require the administration of an alternate to the nationally norm-referenced college admissions test or an alternate precursor test to the nationally norm-referenced college admissions test to a student who meets all of the following criteria:

(1) Exhibits severe and pervasive delays in all areas of conceptual, linguistic, and academic development and in adaptive behaviors, including communication, daily living skills, and self-care.

(2) Is following the extended content standards of the Standard Course of Study as provided in G.S. 115C-81.5, or is following a course of study that, upon completing high school, may not lead to admission into a college level course of study resulting in a college degree.

(3) Has a written parental request for an alternate assessment.

(c) The State Board of Education and public school units shall allow students with parental consent as required by G.S. 115C-76.65(c) to complete any surveys included as part of the administration of the nationally norm-referenced college admissions test required by this section. Prior to the administration of the nationally norm-referenced college admissions test, public school units shall provide notice regarding the information collected in the surveys to parents of children in eleventh grade.

(d) The State Board of Education shall ensure that parents of students enrolled in all public school units have the necessary information to make informed decisions regarding participation in the nationally norm-referenced college admissions test, precursor test, and any associated surveys included as part of the test administration required by this section.

(e) The State Board of Education shall include alternate assessment and nationally norm-referenced college admissions test assessment results for students with disabilities in public school unit accountability reports.

...."

SECTION 7.(e) Part 4 of Article 10A of Chapter 115C of the General Statutes, as amended by subsection (c) of this section, is repealed.

SECTION 7.(f) This section is effective when it becomes law and applies to administrations of the national norm-referenced college admissions test pursuant to G.S. 115C-174.23(a), as enacted by this section, beginning with the 2026-2027 school year.

EXPAND ALLOWABLE USE OF PESA SCHOLARSHIP

SECTION 8.(a) G.S. 115C-591 reads as rewritten:

"§ 115C-591. Definitions.

The following definitions apply in this Article:

...

(4a) One-to-one classroom aide. – A person who holds at least a high school diploma, or its equivalent, and who supports an eligible student in a classroom, and other educational settings as necessary, at the request of the Part 1 or 2 nonpublic school in which the eligible student is enrolled.

...."

SECTION 8.(b) G.S. 115C-595 reads as rewritten:

"§ 115C-595. Parental agreement; use of funds.

(a) Parental Agreement. – The Authority shall provide the parent of a scholarship recipient with a written agreement, applicable for each year the eligible student receives scholarship funds under this Article, to be signed and returned to the Authority prior to receiving the scholarship funds. The agreement shall be submitted to the Authority electronically. The parent shall not designate any entity or individual to execute the agreement on the parent's behalf. A parent or eligible student's failure to comply with this section shall result in a forfeit of scholarship funds and those funds may be awarded to another eligible student. The parent shall agree to the following conditions in order to receive scholarship funds under this Article:

...

- (3)** Use the scholarship funds deposited into a personal education student account only for the following qualifying education expenses of the eligible student:
- a. Tuition and fees for a G.S. 115C-562.5 compliant school, disbursed as provided in subdivision (1) of subsection (a1) of this section.
 - b. Textbooks required by a nonpublic school.
 - c. Tutoring and teaching services provided by an individual or facility accredited by a State, regional, or national accrediting organization.
 - d. Curricula.
 - e. Fees for nationally standardized norm-referenced achievement tests, advanced placement tests, or nationally recognized college entrance exams.
 - f. Fees charged to the account holder for the management of the PESA.
 - g. Fees for services provided by a public school, including individual classes and extracurricular programs.
 - h. Premiums charged to the account holder for any insurance or surety bonds required by the Authority.
 - i. Educational therapies from a licensed or accredited practitioner or provider.
 - j. Educational technology defined by the Authority as approved for use pursuant to G.S. 115C-591(2a).
 - k. Student transportation, pursuant to a contract with an entity that regularly provides student transportation, to and from (i) a provider of education or related services or (ii) an education activity.

l. Transaction or merchant fees charged to the account holder, not to exceed two and one-half percent (2.5%) of the cost of the item or service.

m. Education-related support services provided by a one-to-one classroom aide to an eligible student enrolled in a Part 1 or 2 nonpublic school. A one-to-one classroom aide shall not provide services to other students during the instructional day. The nonpublic school in which an eligible student is enrolled shall submit documentation to the Authority describing the education-related support services requested for an eligible student each semester in the manner prescribed by the Authority.

(3a) Use of scholarship funds for reimbursement of tuition. – Notwithstanding sub-subdivision a. of subdivision (3) of this subsection, a parent of an eligible student may pay tuition to Part 1 or 2 nonpublic schools that are not G.S. 115C-562.5 compliant schools with funds other than funds available in the personal education student account and then request reimbursement from the Authority from scholarship funds if the parent complies with the provisions of subdivision (2) of subsection (a1) of this section.

(4) Not use scholarship funds for any of the following purposes:

a. Computer hardware or other technological devices not defined by the Authority as educational technology approved for use pursuant to G.S. 115C-591(2a).

b. Consumable educational supplies, including paper, pen, or markers.

c. Tuition and fees at an institution of higher education, as defined in G.S. 116-143.1, or a private postsecondary institution.

d. Tuition and fees for a nonpublic school that meets the requirements of Part 3 of Article 39 of this Chapter.

e. Educational-related support services provided by a one-to-one classroom aide who is any of the following:

1. A parent, guardian, legal custodian, sibling, or grandparent of the eligible student.

2. An employee or independent contractor of the Part 1 or 2 nonpublic school in which the eligible student is enrolled.

...."

SECTION 8.(c) This section is effective when it becomes law and applies beginning with the 2026-2027 school year.

REMOVE DEADLINE FOR EDUCATOR PREPARATION PROGRAM RULE ADOPTION

SECTION 9.(a) All of the following provisions are repealed:

(1) Section 7(b) of S.L. 2017-189.

(2) Section 7(f) of S.L. 2017-189.

(3) Section 4 of S.L. 2019-149.

SECTION 9.(b) By October 15, 2026, the State Board of Education, in consultation with the Department of Public Instruction, The University of North Carolina System Office, the Community Colleges System Office, and the North Carolina Independent Colleges and Universities, shall report to the Joint Legislative Education Oversight Committee on recommendations for an educator preparation program accountability model, including any necessary changes to State law that would be required to implement the accountability model.

SECTION 9.(c) This section is effective when it becomes law.

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND PRIORITIZATION CHANGE

SECTION 9.5. G.S. 115C-546.10 reads as rewritten:

"§ 115C-546.10. Fund created; purpose; prioritization.

There is created the Needs-Based Public School Capital Fund as an interest-bearing, nonreverting special fund in the Department of Public Instruction. The State Treasurer shall be the custodian of the Needs-Based Public School Capital Fund and shall invest its assets in accordance with the provisions of G.S. 147-69.2 and G.S. 147-69.3. The Department of Public Instruction shall award grants from the Fund to counties to assist with their critical public school building capital needs in accordance with the following priorities:

- (1) Counties designated as development tier one areas.
- (2) Counties with greater need and less ability to generate sales tax and property tax revenue.
- (3) Counties with a high debt-to-tax revenue ratio.
- (4) The extent to which a project will address critical deficiencies in adequately serving the current and future student population.
- (5) Projects with new construction or complete renovation of existing facilities.
- (6) Projects that will consolidate two or more schools into one new facility.
- (7) Counties that have not received a grant under this Article in the previous three years. Projects for a local school administrative unit for which a grant has not been awarded under this Article in the previous three years.

PART III. BUSINESS AND DEVELOPMENT REFORMS**SITE-SPECIFIC VESTING PLAN CHANGES**

SECTION 10.(a) G.S. 160D-108.1 reads as rewritten:

"§ 160D-108.1. Vested rights – site-specific vesting plans.

...

(c) Approval and Amendment of Plans. – If a site-specific vesting plan is based on an approval required by a local development regulation, the local government shall provide whatever notice and hearing is required for that underlying approval. A duration of the underlying approval that is less than ~~two~~ five years does not affect the duration of the site-specific vesting plan established under this section. If the site-specific vesting plan is not based on ~~such an approval~~, an approval required by a development regulation, a legislative hearing with notice as required by G.S. 160D-602 shall be held.

A local government may approve a site-specific vesting plan upon any terms and conditions that may reasonably be necessary to protect the public health, safety, and welfare. Conditional approval results in a vested right, although failure to abide by the terms and conditions of the approval will result in a forfeiture of vested rights. A local government shall not require a landowner to waive the landowner's vested rights as a condition of developmental approval. A site-specific vesting plan is deemed approved upon the effective date of the local government's decision approving the plan or another date determined by the governing board upon approval. An approved site-specific vesting plan and its conditions may be amended with the approval of the owner and the local government as follows: any substantial modification must be reviewed and approved in the same manner as the original approval; minor modifications may be approved by staff, if ~~such~~ the modifications are defined and authorized by local regulation.

...

(e) Duration and Termination of Vested Right. –

- (1) A vested right for a site-specific vesting plan remains vested for a period of ~~two~~ five years. This vesting shall not be extended by any amendments or modifications to a site-specific vesting plan unless expressly provided by the local government.

- (2) Notwithstanding the provisions of subdivision (1) of this subsection, a local government may provide for rights to be vested for a period exceeding ~~two~~ five years but not exceeding ~~five~~ eight years where warranted in light of all relevant circumstances, including, but not limited to, the size and phasing of development, the level of investment, the need for the development, economic cycles, and market conditions or other considerations. These determinations are in the sound discretion of the local government and shall be made following the process specified for the particular form of a site-specific vesting plan involved in accordance with subsection (a) of this section.
- (3) Upon issuance of a building permit, the provisions of G.S. 160D-1111 and G.S. 160D-1115 apply, except that a permit does not expire and shall not be revoked because of the running of time while a vested right under this section is outstanding.
- (4) A right vested as provided in this section terminates at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed.
- (f) Subsequent Changes Prohibited; Exceptions. –
- (1) A vested right, once established as provided for in this section, precludes any ~~zoning action~~ development regulation by a local government which would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in an approved site-specific vesting plan, except under one or more of the following conditions:
- a. With the written consent of the affected landowner.
- b. Upon findings, by ordinance after notice and an evidentiary hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the site-specific vesting plan.
- c. To the extent that the affected landowner receives compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consulting fees incurred after approval by the local government, together with interest as provided under G.S. 160D-106. Compensation shall not include any diminution in the value of the property which is caused by the action.
- d. Upon findings, by ordinance after notice and an evidentiary hearing, that the landowner or the landowner's representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval by the local government of the site-specific vesting plan or the phased development plan.
- e. ~~Upon the enactment or promulgation of a~~ As required by State or federal law or regulation that precludes development as contemplated in the site-specific vesting plan or the phased development plan, in which case the local government may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the plan, by ordinance after notice and an evidentiary hearing.
- f. Due to site conditions resulting from a natural disaster in an area with a declared disaster declaration pursuant to Chapter 166A of the General Statutes the local government determines that under current

1 site conditions the site no longer meets applicable State or federal
2 safety, environmental, or engineering standards, or that preclusion of
3 the development regulation would present a material risk to life,
4 health, or property.

5 g. Upon adoption of a floodplain ordinance adopted by the local
6 government for the purposes of compliance with the National Flood
7 Insurance Program.

8 (2) The establishment of a vested right under this section ~~does not preclude~~
9 precludes the application of overlay zoning or other development regulations
10 which impose additional requirements but do not affect the allowable type or
11 intensity of use, or ordinances or regulations which are general in nature and
12 are applicable to all property subject to development regulation by a local
13 government, including, but not limited to, building, fire, plumbing, electrical,
14 and mechanical codes. Otherwise applicable new development regulations
15 become effective with respect to property which is subject to a site-specific
16 vesting plan upon the expiration or termination of the vesting rights period
17 provided for in this section.

18 (3) Notwithstanding any provision of this section, the establishment of a vested
19 right does not preclude, change, or impair the authority of a local government
20 to adopt and enforce development regulations governing ~~nonconforming~~
21 situations or uses-nonconformities.

22"

23 **SECTION 10.(b)** This section is effective when it becomes law and applies to permit
24 applications filed and appeals filed on or after that date.

25
26 **EXPAND ALTERNATE INSPECTION METHOD FOR COMPONENTS OR**
27 **ELEMENTS TO INCLUDE HOME POWER INSTALLATIONS**

28 **SECTION 10.5.(a)** G.S. 160D-1106 reads as rewritten:

29 "**§ 160D-1106. Alternate inspection method for ~~component or element~~components,**
30 **elements, or home power installations.**

31 (a) Notwithstanding the requirements of this Article, a local government shall accept and
32 approve, without further responsibility to inspect, a design or other proposal for a ~~component or~~
33 ~~element~~ component, element, or home power installation in the construction of buildings from
34 an architect licensed under Chapter 83A of the General Statutes or professional engineer licensed
35 under Chapter 89C of the General Statutes provided all of the following apply:

36 (1) When required by the North Carolina State Building Code, the submission
37 design or other proposal is completed under valid seal of the licensed architect
38 or licensed professional engineer.

39 (2) Field inspection of the installation or completion of a ~~component or element~~
40 ~~of the component, element, or home power installation~~ within or connected to
41 a building is performed by a licensed architect or licensed professional
42 engineer or a person under the direct supervisory control of the licensed
43 architect or licensed professional engineer.

44 (3) The licensed architect or licensed professional engineer under subdivision (2)
45 of this subsection provides the local government with a signed written
46 document certifying that the ~~component or element of the component,~~
47 element, or home power installation within or connected to a building
48 inspected under subdivision (2) of this subsection is in compliance with the
49 North Carolina State Building Code. The certification required under this
50 subdivision shall be provided by electronic or physical delivery, ~~[and]~~ and its
51 receipt shall be promptly acknowledged by the local government through

reciprocal means. The certification shall be made on forms created by the ~~Building Code Council and Residential Code Council~~ responsible Code Council which shall include at least the following:

- a. Permit number.
- b. Date of field inspection.
- c. Type of field inspection.
- d. Contractor's name and license number.
- e. Street address of the job location.
- f. Name, address, and telephone number of the person responsible for the field inspection.
- g. A description of the component, element, or home power installation covered by the certification.

(a1) In accepting certifications of inspections under subsection (a) of this section, a local government shall not require information other than that specified in this section.

(b) Upon the acceptance and approval receipt of a signed written document by the local government as required under subsection (a) of this section, notwithstanding the issuance of a certificate of occupancy, the local government, its inspection department, and the inspectors are discharged and released from any liabilities, duties, and responsibilities imposed by this Article with respect to or in common law from any claim arising out of or attributed to the ~~component or element~~ component, element, or home power installation in the construction of the building for which the signed written document was submitted.

(c) With the exception of the requirements contained in subsection (a) of this section, no further certification by a licensed architect or licensed professional engineer is required for any ~~component or element~~ component, element, or home power installation designed and sealed by a licensed architect or licensed professional engineer for the manufacturer of the ~~component or element~~ component, element, or home power installation under the North Carolina State Building Code.

(d) As used in this section, the following definitions apply:

- (1) Component. – Any assembly, subassembly, or combination of elements designed to be combined with other components to form part of a building or structure. Examples of a component include an excavated footing trench containing no concrete, a foundation, and a prepared underslab with slab-related materials without concrete. The term does not include a system.
- (2) Element. – A combination of products designed to be combined with other elements to form all or part of a building component. The term does not include a system.
- (3) Home power installation. – An electric generating or energy storage system, standby system, or associated equipment, connected at 600 volts or less, intended to provide electrical power to a building or structure subject to the North Carolina Residential Code that requires a building permit or other approval.
- (4) Responsible Code Council. – Either the Building Code Council or Residential Code Council in accordance with Article 9 of Chapter 143 of the General Statutes."

SECTION 10.5.(b) G.S. 143-143.2 reads as rewritten:

"§ 143-143.2. Electric wiring of houses, buildings, and structures.

(a) The electric wiring of houses or buildings for lighting or for other purposes shall conform to the requirements of the North Carolina State Building Code and any other applicable State and local laws.

(b) In order to protect the property of citizens from the dangers incident to defective electric wiring of buildings, it shall be unlawful for any firm or corporation to allow any electric

current for use in any newly erected building to be turned on without first having had an inspection made of the wiring by the appropriate official electrical inspector or inspection department and having received from that inspector or department a certificate approving the wiring of such building. It shall be unlawful for any person, firm, or corporation engaged in the business of selling electricity to furnish initially any electric current for use in any building, unless said building shall have first been inspected by the appropriate official electrical inspector or inspection department and a certificate given as required by this subsection.

(c) In the event that there is no legally appointed inspector or inspection department with jurisdiction over the property involved, subsections (a) and (b) of this section shall have no force or effect.

(c1) For the purposes of subsection (b) of this section, an inspection made of the wiring of a "home power installation," as defined in G.S. 160D-1106(d), may be conducted in accordance with G.S. 160D-1106.

(d) As used in this section, "building" includes any structure."

SECTION 10.5.(c) By July 1, 2027, the Residential Code Council shall develop a home power installation work certification as required by G.S. 160D-1106, as amended by subsection (a) of this section, and make it available on the Office of the State Fire Marshal's website.

SECTION 10.5.(d) The Residential Code Council may adopt or amend rules to implement provisions enacted by this section, to become effective July 1, 2027.

SECTION 10.5.(e) Subsections (a) and (b) of this section become effective July 1, 2027. The remainder of this section is effective when it becomes law.

DEVELOPER CHOICE FOR PERFORMANCE GUARANTEES FOR DRIVEWAY AND ENCROACHMENT PROJECTS

SECTION 11.(a) G.S. 136-93 reads as rewritten:

"§ 136-93. Openings, structures, pipes, trees, and issuance of permits.

(a) No opening or other interference whatsoever shall be made in any State road or highway other than streets not maintained by the Department of Transportation in cities and towns, nor shall any structure be placed thereon, nor shall any structure which has been placed thereon be changed or removed except in accordance with a written permit from the Department of Transportation or its duly authorized officers, who shall exercise complete and permanent control over such roads and highways. No State road or State highway, other than streets not maintained by the Department of Transportation in cities and towns, shall be dug up for laying or placing pipes, conduits, sewers, wires, railways, or other objects, and no obstruction placed thereon, without a written permit as hereinbefore provided for, and then only in accordance with the regulations of said Department of Transportation or its duly authorized officers or employees; and the work shall be under the supervision and to the satisfaction of the Department of Transportation or its officers or employees, and the entire expense of replacing the highway in as good condition as before shall be paid by the persons, firms, or corporations to whom the permit is given, or by whom the work is done. The Department of Transportation, or its duly authorized officers, may, in its discretion, before granting a permit under the provisions of this section, require the applicant to file a satisfactory ~~bond, payable to performance guarantee in favor of the State of North Carolina,~~ in such an amount as may be deemed sufficient by the Department of Transportation or its duly authorized officers, conditioned upon the proper compliance with the requirements of this section by the person, firm, or corporation granted such permit. The form of the performance guarantee may consist of a bond, irrevocable letter of credit, parent guaranty, or other instrument that provides equivalent security to a surety bond or irrevocable letter of credit at the election of the applicant. Any person making any opening in a State road or State highway, or placing any structure thereon, or changing or removing any structure thereon without obtaining a written permit as herein provided, or not in compliance

with the terms of such permit, or otherwise violating the provisions of this section, shall be guilty of a Class 1 misdemeanor: Provided, this section shall not apply to railroad crossings. The railroads shall keep up said crossings as now provided by law.

...."

SECTION 11.(b) This section is effective when it becomes law and applies to permit applications filed on or after that date.

AUTHORIZE OPTIONAL DELEGATION OF ZONING APPROVALS TO WINSTON-SALEM PLANNING BOARD

SECTION 12.(a) G.S. 160D-602 reads as rewritten:

"§ 160D-602. Notice of hearing on proposed zoning map amendments.

...

(f) Delegation. – The governing board may, by ordinance, delegate or assign the authority for the rezoning of property to a designated planning board. The governing board shall provide a right of appeal and review before the governing board in accordance with rules adopted by the governing board. This authority shall be exercised by the designated planning board under such rules, regulations, and guidelines as may be established by the governing board."

SECTION 12.(b) This section applies only to the City of Winston-Salem.

RESIDENTIAL RIGHT OF USE IN COMMERCIAL ZONING DISTRICTS

SECTION 13. Article 7 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-703.1. Residential right of use in commercial districts.

(a) Residential Right of Use in Commercial Districts. – A local government zoning regulation shall allow all of the following as a use by right on property undergoing redevelopment, except for properties that are on or adjacent to sites with known contamination that have not been remediated, in all areas zoned for nonagricultural commercial, business, or light industrial use:

(1) The siting of buildings and structures subject to the North Carolina Residential Code.

(2) The siting of multifamily housing structures with more than four residential dwelling units.

(3) Buildings and structures containing both residential dwelling units and nonresidential uses, provided that only the residential component of any such building or structure is a use by right, regardless of whether the nonresidential component requires a permit, special use authorization, or other approval.

(b) Limitation on Height Restrictions. – A zoning regulation under subsection (a) of this section shall not establish a maximum building height of less than 60 feet.

(c) Definitions. – For purposes of this section, "redevelopment" means the demolition and reconstruction of, or rehabilitation and improvement of, an existing structure or structures on a parcel, or the clearing and new construction on a parcel that contains or previously contained an impervious surface, building, or other structure associated with a prior use. Redevelopment does not include the construction of a new primary structure on a vacant parcel that has never been developed.

(d) Applicability. – This section applies only to cities with a population of 50,000 or greater that are located in counties with a population of 275,000 or greater."

ALLOW CONSTRUCTION AND SITING OF ACCESSORY DWELLING UNITS

SECTION 14.(a) Part 1 of Article 9 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-917. Accessory dwelling units.

(a) A local government shall allow the development of at least one accessory dwelling unit which conforms to the North Carolina Residential Code, including applicable provisions from fire prevention codes, for each single-family detached dwelling in areas zoned for residential use that allow for development of single-family detached dwellings. An accessory dwelling unit may be built or sited concurrently or after the primary single-family detached dwelling has been constructed or sited. Nothing in this section shall prohibit a local government from permitting accessory dwelling units in any area not otherwise required under this section.

(b) In permitting accessory dwelling units under this section, a local government shall not do any of the following:

(1) Prohibit the use of the primary single-family detached dwelling and the accessory dwelling for long-term rentals by separate households.

(2) Require placement in a conditional zoning district.

(3) Establish minimum parking requirements or other parking restrictions, including imposition of additional parking requirements where an existing structure is converted for use as an accessory dwelling unit.

(4) Prohibit the connection of the accessory dwelling unit to existing utilities systems serving the primary single-family detached dwelling, provided the utility service to that primary single-family detached dwelling has capacity to serve both dwellings.

(5) Charge any fees in excess of those charged for the permitting of a single-family detached dwelling similar in nature.

(6) Set a maximum accessory dwelling unit size of less than 800 square feet or greater than 1000 square feet.

(c) A local government may do any of the following:

(1) Impose a setback minimum for accessory dwelling units of 10 feet or the setback minimum imposed generally upon lots in the same zoning classification, whichever is less.

(2) Require that accessory dwelling units be located to the side or rear of the primary single-family detached dwelling.

(3) Require that accessory dwelling units be smaller than the primary single-family detached dwelling.

(d) Except as otherwise provided in this section, a local government may regulate accessory dwelling units pursuant to this Chapter and nothing in this section shall be construed to impair the authority of a local government to adopt and enforce ordinances pursuant to Part 2 of this Article to comply with State and federal law, rules, and regulations, or permits consistent with the interpretations and directions of the State or federal agency issuing the permit.

(e) Nothing in this section shall apply to any of the following:

(1) The validity or enforceability of private covenants or other contractual agreements among property owners related to dwelling type restrictions.

(2) Properties located in a historic preservation district established pursuant to Part 4 of this Article.

(3) Properties designated as a National Historic Landmark by the United States Department of the Interior.

(4) An accessory dwelling unit that is not connected to water, well and septic, and sewer.

(f) After an accessory dwelling unit has been permitted for construction on a parcel, the parcel may not be further subdivided such that the accessory dwelling unit would be located on a different parcel than the primary single-family detached dwelling.

(g) For the purposes of this section, the term "accessory dwelling unit" means an attached or detached residential structure that is used in connection with, or that is an accessory to, a primary single-family detached dwelling located on the same parcel as the primary single-family

detached dwelling and that has less total square footage than the primary single-family detached dwelling.

(h) This section applies only to cities with a population of 50,000 or greater.

SECTION 14.(b) A local government that has enacted an ordinance that meets the requirements of this section and G.S. 160D-917, as enacted by this section, is not required to adopt a new ordinance.

SECTION 14.(c) Local governments shall adopt development regulations to implement the provisions in this section no later than July 1, 2027. If a local government fails to adopt development regulations as required by this section by July 1, 2027, accessory dwelling units shall be allowed in that local government without any limitations.

SECTION 14.(d) Subsection (a) of this section becomes effective October 1, 2026, and applies to applications for accessory dwelling unit permits on or after that date. The remainder of this section is effective when it becomes law.

DE NOVO REVIEW OF AGENCY RULES

SECTION 15.(a) G.S. 150B-34 reads as rewritten:

"§ 150B-34. Final decision or order.

(a) In each contested case the administrative law judge shall make a final decision or order that contains findings of fact and conclusions of law. The administrative law judge shall decide the case based upon the preponderance of the ~~evidence, giving due regard to evidence.~~ The administrative law judge may be informed by the demonstrated knowledge and expertise of the agency with respect to facts and inferences within the specialized knowledge of the agency. ~~agency but shall apply traditional de novo review to the interpretation of State rules and regulations.~~

(b) Repealed by Session Laws 1991, c. 35, s. 6.

(c) Repealed by Session Laws 2011-398, s. 18. For effective date and applicability, see editor's note.

(d) Except for the exemptions contained in G.S. 150B-1, the provisions of this section regarding the decision of the administrative law judge shall apply only to agencies subject to Article 3 of this Chapter, notwithstanding any other provisions to the contrary relating to recommended decisions by administrative law judges.

(e) An administrative law judge may grant judgment on the pleadings, pursuant to a motion made in accordance with G.S. 1A-1, Rule 12(c), or summary judgment, pursuant to a motion made in accordance with G.S. 1A-1, Rule 56, that disposes of all issues in the contested case. Notwithstanding subsection (a) of this section, a decision granting a motion for judgment on the pleadings or summary judgment need not include findings of fact or conclusions of law, except as determined by the administrative law judge to be required or allowed by G.S. 1A-1, Rule 12(c), or Rule 56."

SECTION 15.(b) G.S. 150B-51 reads as rewritten:

"§ 150B-51. Scope and standard of review.

(a), (a1) Repealed by Sessions Laws, 2011-398, s. 27. For effective date and applicability, see editor's note.

(b) The court reviewing a final decision may affirm the decision or remand the case for further proceedings. It may also reverse or modify the decision if the substantial rights of the petitioners may have been prejudiced because the findings, inferences, conclusions, or decisions are:

- (1) In violation of constitutional provisions;
- (2) In excess of the statutory authority or jurisdiction of the agency or administrative law judge;
- (3) Made upon unlawful procedure;
- (4) Affected by other error of law;

(5) Unsupported by substantial evidence admissible under G.S. 150B-29(a), 150B-30, or 150B-31 in view of the entire record as submitted; or

(6) Arbitrary, capricious, or an abuse of discretion.

(c) In reviewing a final decision in a contested case, the court shall determine whether the petitioner is entitled to the relief sought in the petition based upon its review of the final decision and the official record. With regard to asserted errors pursuant to subdivisions (1) through (4) of subsection (b) of this section, the court shall conduct its review of the final decision using the de novo standard of review. With regard to asserted errors pursuant to subdivisions (5) and (6) of subsection (b) of this section, the court shall conduct its review of the final decision using the whole record standard of review. In conducting its review of the final decision, the court may be informed by the agency's interpretation of its own rules or regulations but shall apply traditional de novo review to the interpretation of State rules and regulations.

(d) In reviewing a final decision allowing judgment on the pleadings or summary judgment, the court may enter any order allowed by G.S. 1A-1, Rule 12(c) or Rule 56. If the order of the court does not fully adjudicate the case, the court shall remand the case to the administrative law judge for such further proceedings as are just."

SECTION 15.(c) This section is effective when it becomes law and applies to actions pending or filed on or after that date.

PROHIBIT LOCAL GOVERNMENTS FROM REQUIRING EMPLOYERS TO BARGAIN WITH LABOR ORGANIZATIONS OR SET WAGES OR BENEFITS IN CONSULTATION WITH A LABOR ORGANIZATION OR SIMILAR ENTITY

SECTION 16. G.S. 95-79 reads as rewritten:

"§ 95-79. Certain agreements declared illegal.

(a) Any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization shall be denied the right to work for said employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is hereby declared to be against the public policy and an illegal combination or conspiracy in restraint of trade or commerce in the State of North Carolina.

(b) Any provision that directly or indirectly conditions the purchase of agricultural products, the terms of an agreement for the purchase of agricultural products, or the terms of an agreement not to sue or settle litigation upon an agricultural producer's status as a union or nonunion employer or entry into or refusal to enter into an agreement with a labor union or labor organization is invalid and unenforceable as against public policy in restraint of trade or commerce in the State of North Carolina. Further, notwithstanding G.S. 95-25.8, an agreement requiring an agricultural producer to transfer funds to a labor union or labor organization for the purpose of paying an employee's membership fee or dues is invalid and unenforceable against public policy in restraint of trade or commerce in the State of North Carolina. For purposes of this subsection, the term "agricultural producer" means any producer engaged in any service or activity included within the provisions of section 3(f) of the Fair Labor Standards Act of 1938, 29 U.S.C. § 203, or section 3121(g) of the Internal Revenue Code of 1986, 26 U.S.C. § 3121.

(c) It shall be unlawful for any unit of local government to withhold any license, permit, zoning approval, financial incentives, or any other type of assistance, either directly or indirectly, from an employer based on the refusal of the employer to negotiate or sign any agreement with a labor organization except as required by State or federal law."

ORDINANCE EXEMPTION FOR CERTAIN NONCONFORMING ON-PREMISES SIGNS

SECTION 17. G.S. 160D-912.1 is amended by adding a new subsection to read:

"(e) This section shall not apply to an ordinance regulating on-premises advertising signs that was lawfully adopted by a local government, and: (i) included an amortization period of 10 or more years during which a nonconforming sign was allowed to remain in place before it was required to be removed or brought into compliance with the current sign ordinance and (ii) the date of compliance under the amortization period expired on or prior to July 1, 2024."

REDUCE CONTINUING EDUCATION HOURS FOR USED MOTOR VEHICLE DEALER LICENSE RENEWAL

SECTION 17.5. G.S. 20-288(a1) reads as rewritten:

"(a1) A used motor vehicle dealer may obtain a license by filing an application, as prescribed in subsection (a) of this section, and providing the following:

- (1) The required fee.
- (2) Proof that the applicant, within the last 12 months, has completed a 12-hour licensing course approved by the Division if the applicant is seeking an initial license and one ~~six-hour~~ four-hour course approved by the Division for each year of the licensing period immediately preceding the renewal if the applicant is seeking a renewal license. The requirements of this subdivision do not apply to a used motor vehicle dealer the primary business of which is the sale of salvage vehicles on behalf of insurers or to a manufactured home dealer licensed under G.S. 143-143.11 who complies with the continuing education requirements of G.S. 143-143.11B. The requirement of this subdivision does not apply to persons age 62 or older as of July 1, 2002, who are seeking a renewal license. This subdivision also does not apply to an applicant who holds a license as a new motor vehicle dealer as defined in G.S. 20-286(13) and operates from an established showroom located in an area within a radius of 30 miles around the location of the established showroom for which the applicant seeks a used motor vehicle dealer license. An applicant who also holds a license as a new motor vehicle dealer may designate a representative to complete the licensing course required by this subdivision.

...."

PART IV. JUSTICE AND PUBLIC SAFETY REFORMS

ADD APPROVED FIREARM SAFETY AND TRAINING COURSE

SECTION 18.(a) G.S. 14-415.12(a)(4) reads as rewritten:

- "(4) The applicant has successfully completed an approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force. The North Carolina Criminal Justice Education and Training Standards Commission shall prepare and publish general guidelines for courses and qualifications of instructors which would satisfy the requirements of this subdivision. An approved course shall be any course which satisfies the requirements of this subdivision and is certified or sponsored by any of the following:
- a. The North Carolina Criminal Justice Education and Training Standards Commission.
 - a1. The North Carolina Concealed Carry Association.
 - b. The National Rifle Association.
 - b1. The United States Concealed Carry Association.
 - b2. U.S. LawShield.

c. A law enforcement agency, college, private or public institution or organization, or firearms training school, taught by instructors certified by the North Carolina Criminal Justice Education and Training Standards Commission, the North Carolina Concealed Carry Association, the United States Concealed Carry Association, U.S. LawShield, or the National Rifle Association.

d. The North Carolina Private Protective Services Board and Secretary of Public Safety pursuant to G.S. 74C-13.

Every instructor of an approved course shall file a copy of the firearms course description, outline, and proof of certification annually, or upon modification of the course if more frequently, with the North Carolina Criminal Justice Education and Training Standards Commission."

SECTION 18.(b) This section becomes effective July 1, 2026, and applies to permit applications submitted on or after that date.

CHANGE TO STATE BUREAU OF INVESTIGATION SUBPOENA AUTHORITY

SECTION 19.(a) G.S. 15A-298 reads as rewritten:

"§ 15A-298. Subpoena authority.

~~The Director of the State Bureau of Investigation or the Director's designee may issue an administrative subpoena to a communications common carrier or an electronic communications service to compel production of business records if the records:~~

~~(1) Disclose information concerning local or long distance toll records or subscriber information; and~~

~~(2) Are material to an active criminal investigation being conducted by the State Bureau of Investigation.~~

(a) The Director of the State Bureau of Investigation or the Director's designee may issue an administrative subpoena to a communications common carrier or an electronic communication service provider to compel production of business records or other information pertaining to a subscriber or customer of such service, exclusive of the contents of communications, if the records are material to an active criminal investigation being conducted by the State Bureau of Investigation.

(b) A communications common carrier or electronic communication service provider shall disclose to the State Bureau of Investigation all of the following information within a reasonable time of a subpoena being issued pursuant to subsection (a) of this section:

(1) The subscriber's or customer's name.

(2) The subscriber's or customer's address.

(3) The length of service, including the start date and any applicable termination date.

(4) The type of service utilized.

(5) Any other account associated with the account for which records are sought, including joint or linked accounts.

(6) Telephone, computer, or device instrument number or other subscriber or customer number or identities, including any temporarily assigned network address.

(7) Telephone, computer, or other device connection records, including records of session times and durations.

(8) The means and source of payment for such service, including any credit card or bank account number.

(c) The Director, the Director's designee, and other employees of the State Bureau of Investigation are authorized to disseminate to any federal, State, tribal, or local law enforcement agency any information acquired under this section in furtherance of a criminal investigation.

(d) A communications common carrier or electronic communication service provider shall not provide to a subscriber or customer any notification of a subpoena issued pursuant to subsection (a) of this section."

SECTION 19.(b) This section is effective when it becomes law and applies to subpoenas issued on or after that date.

THIRD-PARTY CRIMINAL HISTORY RECORD CHECK VENDORS FOR CERTAIN LOCAL GOVERNMENT CHECKS

SECTION 20. Notwithstanding G.S. 153A-94.2(b) and G.S. 160A-164.2(b), municipalities and counties may enter contracts with third-party vendors supplying criminal history record checks to conduct criminal history record checks required pursuant to those sections. All contracts entered pursuant to this section shall terminate on or before December 1, 2026, or when the State Bureau of Investigation request for proposal is awarded, whichever occurs later. Third-party vendors conducting criminal history record checks pursuant to this authority shall comply with any restrictions or requirements set by law governing fingerprints and other information collected by the Bureau for a criminal record check, as required by G.S. 143B-1209.09.

INCREASE FINES FOR INTENTIONAL OR RECKLESS LITTERING

SECTION 21.(a) G.S. 14-399 reads as rewritten:

"§ 14-399. Littering.

(a) No person, including any firm, organization, private corporation, or governing body, agents or employees of any municipal corporation shall intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by the person within this State or in the waters of this State including any public highway, public park, lake, river, ocean, beach, campground, forestland, recreational area, trailer park, highway, road, street or alley except:

- (1) When the property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and the person is authorized to use the property for this purpose; or
- (2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

...

(c) Any person who violates subsection (a) of this section in an amount not exceeding 10 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000) nor more than ~~one thousand dollars (\$1,000)~~ three thousand dollars (\$3,000) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a) of this section in an amount not exceeding 10 pounds and not for commercial purposes within three years after the date of a prior violation is a Class 3 misdemeanor punishable by a fine of not less than ~~one thousand dollars (\$1,000)~~ three thousand dollars (\$3,000) nor more than ~~three thousand dollars (\$3,000)~~ five thousand dollars (\$5,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

...

(d) Any person who violates subsection (a) of this section in an amount exceeding 10 pounds but not exceeding 500 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than ~~one thousand dollars (\$1,000)~~ five thousand dollars (\$5,000) nor more than ~~three thousand dollars (\$3,000)~~ ten thousand dollars (\$10,000). In addition, the court shall require the violator to perform community service of not less than 50 hours nor more than 100 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other community service commensurate with the offense committed.

...
(e) Any person who violates subsection (a) of this section in an amount exceeding 500 pounds or in any quantity for commercial purposes, or who discards litter that is a hazardous waste as defined in G.S. 130A-290 is guilty of a Class I felony punishable by a fine of ~~five thousand dollars (\$5,000)~~ not less than ten thousand dollars (\$10,000) nor more than fifteen thousand dollars (\$15,000). In addition, the court shall require the violator to perform community service of not less than 100 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other community service commensurate with the offense committed.

...."

SECTION 21.(b) This section becomes effective December 1, 2026, and applies to offenses committed on or after that date.

PROHIBIT TELEPHONE SOLICITORS FROM MISREPRESENTING CALL ORIGINS

SECTION 22.(a) G.S. 75-100 is amended by adding a new subdivision to read:

"(10) A telephone number is the property of a telephone subscriber, subject to the terms and conditions of the subscriber's contract with a telephone carrier."

SECTION 22.(b) G.S. 75-101(10) reads as rewritten:

"(10) Telephone solicitor. – Any individual, business establishment, business, or other legal entity doing business in this State that, directly or through salespersons or agents, makes or attempts to make telephone solicitations or causes telephone solicitations to be ~~made.~~ made, and any agent of that individual, business establishment, business, or legal entity. "Telephone solicitor" also includes any party defined as a "telemarketer" under the Telemarketing Sales Rule."

SECTION 22.(c) G.S. 75-102 reads as rewritten:

"§ 75-102. Restrictions on telephone solicitations.

...

(i) No telephone solicitor shall cause misleading information to be transmitted to users of caller identification technologies or otherwise block or misrepresent the origin of the telephone ~~solicitation.~~ solicitation or use any other alteration to the origin of the telephone solicitation that displays in a way to give the perception that the call originated from any other origin except the actual origin of the telephone solicitation. No provider of telephone caller identification services shall be held liable for violations of this subsection committed by other individuals or entities. It is not a violation of this subsection for a telephone solicitor to utilize the name and number of the entity the solicitation is being made on behalf of rather than the name and number of the telephone solicitor.

(j) A telephone solicitor ~~or its agent~~ that makes telephone solicitations on its behalf, provided that the telephone solicitor ensures compliance by its agent, shall keep a record for a period of 24 months from the date a telephone solicitation is made of the legal name, any fictitious name used, the resident address, the telephone number, and the job title of each individual who makes a telephone solicitation for that telephone solicitor. If an individual who makes telephone

solicitations for a telephone solicitor uses a fictitious name, the fictitious name shall be traceable only to the specific individual.

...."

SECTION 22.(d) Article 4 of Chapter 75 of the General Statutes is amended by adding a new section to read:

"§ 75-104.1. Telephone carriers.

(a) A telephone carrier shall not knowingly and intentionally transmit, sell, or otherwise provide the numbers of telephone subscribers to any entity the telephone carrier knows (i) will use the number to violate provisions of this Article, (ii) has previously used telephone subscriber information to violate provisions of this Article, or (iii) has previously provided the information to another entity that has violated provisions of this Article.

(b) A telephone carrier shall not be held liable for a telemarketer's violation of G.S. 75-102(i)."

SECTION 22.(e) G.S. 75-105 reads as rewritten:

"§ 75-105. Enforcement.

...

(b) A telephone subscriber who has received a telephone solicitation from or on behalf of a telephone solicitor in violation of this Article may bring any of the following actions in civil court:

- (1) An action to enjoin further violations of this Article by the telephone solicitor.
- (2) An action to recover five hundred dollars (\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and five thousand dollars (\$5,000) for the third and any other violation that occurs within two years of the first violation.
- (3) An action to recover ten thousand dollars (\$10,000) for each call placed in knowing violation of G.S. 75-102(i).

...."

SECTION 22.(f) This section becomes effective December 1, 2026, and applies to phone calls placed on or after that date.

PART V. SEVERABILITY AND EFFECTIVE DATE

SECTION 23.(a) If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

SECTION 23.(b) Except as otherwise provided, this act is effective when it becomes law.