



HOUSE BILL 142: Reset of S.L. 2016-3.

2017-2018 General Assembly

Committee:		Date:	August 9, 2017
Introduced by:		Prepared by:	Kara McCraw Staff Attorney
Analysis of:	S.L. 2017-4		

OVERVIEW: *S.L. 2017-4 does the following:*

- *Repeals S.L. 2016-3 and S.L. 2016-99.*
- *Preempts regulation of access to multiple occupancy restrooms, showers, or changing facilities by any State or local government, except in accordance with an act of the General Assembly.*
- *Prohibits a local government from enacting or amending an ordinance regulating private employment practices or regulating public accommodations. This section expires December 1, 2020.*

This act became effective March 30, 2017.

CURRENT LAW: S.L. 2016-3 made the following changes:

- Required single sex multiple occupancy bathrooms and changing facilities in public schools and public agencies.
- Superseded and preempted all local ordinances, regulations, resolutions, or policies imposing any requirements on employers pertaining to compensation of employees, with certain exceptions.
- Prohibited cities and counties from requiring private contractors to abide by regulations or controls on employment practices or mandating or prohibiting provisions of goods, services, or accommodations to any member of the public, except as required by State law.
- Superseded and preempted any local ordinance, regulation, resolution, or policy that regulated or imposed any requirements on employers pertaining to regulation of discriminatory practices in employment.
- Created a State law pertaining to discrimination in public accommodations, and superseded and preempted any local ordinance, regulation, resolution, or policy that regulated or imposed any requirements pertaining to regulation of discriminatory practices in a place of public accommodation.

S.L. 2016-99 repealed a portion of S.L. 2016-3 that prohibited civil actions based upon the public policy in the Equal Employment Practices Act, and created a one year statute of limitations on claims for wrongful discharge in violation of the public policy in that Act.

BILL ANALYSIS: S.L. 2017-4 makes the following changes:

- S.L. 2016-3 and S.L. 2016-99 are repealed.
- A new Article is created preempting State agencies, boards, offices, departments, institutions, branches of government, including The University of North Carolina and the North Carolina Community College System, and political subdivisions of the State, including local boards of

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education, from regulating access to multiple occupancy restrooms, showers, or changing facilities, except in accordance with an act of the General Assembly.

- Local governments are prohibited from enacting or amending an ordinance regulating private employment practices or regulating public accommodations. This provision expires December 1, 2020.

EFFECTIVE DATE: S.L. 2017-4 became effective March 30, 2017.