



# SENATE BILL 469: Technical Corrections.

2017-2018 General Assembly

---

<b>Committee:</b>		<b>Date:</b>	December 13, 2018
<b>Introduced by:</b>	Sen. Brown	<b>Prepared by:</b>	Central Staff
<b>Analysis of:</b>	Conference Committee Substitute (S469-CCSRB-3)		

---

**OVERVIEW:** *The CCS for S469 makes various technical, clarifying, and conforming changes to the General Statutes and Session Laws.*

**BILL ANALYSIS:** The Senate passed SB 828, *Technical Corrections*, on December 4, 2018; that bill is in the House Rules Committee. The House passed a House Committee Substitute for SB 469, *Technical Corrections*, on December 6, 2018. The Conference Committee Substitute for SB 469 does the following:

- **Section 1** – Creates a new eligibility category for the student with disabilities scholarship program for students currently enrolled in a nonpublic school who were enrolled for an entire prior school year in a NC public school. These students would be in the second priority group for the award of scholarships within the funds available. Section 1 also makes various technical changes to the students with disabilities scholarship program and the Opportunity Scholarship program. This provision came from SB 469.
- **Section 2** – Makes changes to the Transforming Principal Preparation Grant Program so that the NC Principal Fellows Commission would administer the program in collaboration with SEAA rather than a nonprofit corporation through a contract, effective July 1, 2019. The section makes various conforming amendments to statutes and budget provisions to effectuate this change, including transition language that would be effective when the act becomes law. This provision is new.
- **Section 3** – Provides for \$4 Million Dollars of Dorothea Dix Hospital Property Fund money appropriated for additional behavioral health beds to be allocated to Cape Fear Valley Hospital, instead of Betsy Johnson Hospital. This provision is new.
- **Section 4** – Extends by two months (to March 1, 2019) the effective date of Section 2 of S.L. 2018-42 related to transfer of title by motor vehicle dealers that do not have a motor vehicle's statement of origin or certificate of title. This provision is new.
- **Section 5** – Repeals required annual service report that must be filed with the Secretary of State by cable service franchises. This provision is from SB 469.
- **Section 6** – These provisions are from SB 469 and SB 828, and do the following:
  - **Subsection (a)** - Changes existing budget provision for funds to the Dragonfly House to use the Davie County Sheriff to pass-through funds to the nonprofit. The nonprofit entity is part of a larger network that has restrictions on receipt of grant funds for a single member of its network.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
(919) 733-2578

# Senate CCS 469

Page 2

- **Subsection (b)** – Corrects the name of the recipient of a grant-in-aid from Patriot’s Charity to the Patriot Military Family Foundation. This is necessary because Patriot’s Charity merged with another nonprofit to form Patriot Military Family Foundation.
  - **Subsection (c)** – Revises language in the Budget Bill to provide a grant-in-aid of \$15,000 to the Bryson City Fire Department for equipment upgrades instead of the Bryson City Police Department for a K-9 transport unit.
  - **Subsection (d)** – Reallocates grant-in-aid funds provided in the Budget Bill from the Town of Cedar Point to 12 different localities to enable completion of the intended projects. The CCS reallocates the \$50,000 that was appropriated to Cedar Point to Tyrell County for disaster recovery assistance.
  - **Subsection (e)** – Reallocates grant-in-aid funds from the Department of Environmental Quality to the Office of State Budget and Management for storm debris cleanup in Transylvania County and provides that no non-State match is required for these funds. (This was Section 4A in SB 828)
- **Section 7** - Prohibits cities from collecting certain application and technical consulting fees they otherwise would be able to collect from entities that provide telecommunications services for the collocation of certain small wireless facilities. This provision is from SB 469.
  - **Section 8** – These provisions are from SB 469 and SB 828, and do the following:
    - **Subsection (a)** – Corrects an inconsistency in the number of Assistant District Attorneys allocated to Montgomery and Stanly Counties.
    - **Subsection (b)** – S.L. 2018-121 reduced the number of judicial divisions from eight to five, effective January 1, 2019. G.S. 1-267.1, providing for a three-judge panel to hear certain constitutional challenges, specifically references the judicial divisions by number. This subsection updates that statute to reflect the reduction in the number of judicial divisions.
    - **Subsection (c)** – This section becomes effective January 1, 2019.
  - **Section 9** – Corrects erroneous dates included in enacting legislation. This section becomes effective July 1, 2019. This provision is from SB 469 and SB 828.
  - **Section 10** – Corrects an erroneous internal cross-reference. This provision is from SB 469.
  - **Section 11** – Corrects effective dates and eliminates language that is inconsistent with another piece of legislation that was enacted. This provision is from SB 469.
  - **Section 12** – Corrects issue where funds will not be released to non-State entities that do not certify that they are non-profits or exempt under Section 501(c)(3) of the Internal Revenue Code. This provision is from SB 469 and SB 828.
  - **Section 13** - Allows the ABC Commission to issue a special one-time permit to a professional sports organization to allow the retail sale of malt beverages, unfortified wine, fortified wine, or mixed beverages for consumption on the premises at a professional sporting event held at a college-owned or leased stadium. This provision is from SB 469.
  - **Section 14** – G.S. 20-7(b2) provides that applicant social security numbers collected by DMV are not public records and may not be disclosed except for specific reasons listed in the statute and allowed under federal law. This section adds a subdivision to that list allowing DMV to disclose social security numbers to the Judicial Department for the purpose of administering criminal and motor vehicle laws. This provision is from SB 469.

# Senate CCS 469

Page 3

- **Section 15** – Corrects the name of a facility to add one word that was mistakenly omitted. This provision is from SB 469.
- **Section 16** – Corrects an erroneous internal cross-reference. This provision is from SB 469.
- **Section 17** – Extends the date for submission of recommendations from the Wildlife Resources Commission on how to address derelict and abandoned vessels to April 30, 2019. This provision is from SB 469.
- **Section 18** – Permits public school buses to travel outside the State if the superintendent determines that the travel is the most direct route to and from a school. Clarifies that the State Tort Claims Act is applicable to out-of-state accidents involving public school buses traveling pursuant to those routes. This provision is from SB 469.
- **Section 19** – Specifies that the Administrative Office of the Courts shall use the Petition and Order for a Certificate of Relief when declaring the circumstances in which a Certificate of Relief is automatically revoked. This provision is new.
- **Section 20** – Authorizes the board of directors of a municipal charter school in the Towns of Cornelius, Huntersville, Matthews, and Mint Hill, to elect to become a participating employer in the Teachers' and State Employees' Retirement System and the State Health Plan for Teachers and State Employees. This provision is from SB 469.
- **Section 21** – Modifies the calculation of 2018 bonus leave awarded to eligible State employees to be carried forward to 2019 and each subsequent year to eliminate the issue of “double loss” where someone loses both a vacation day and a 2018 bonus leave day when they use a day of 2018 bonus leave and finish the year with over 30 days of vacation. Also states that no employee may be required to use the 2018 bonus leave, which gives the employee a basis for filing a grievance if someone pressures them to use the bonus leave. This section is effective when law and applies retroactively to July 1, 2018. This provision is from SB 469.
- **Section 22** – Expands eligibility for Principal ADM Hold Harmless from schools closed for at least 15 school days in September, October, and November 2018 due to Hurricane Florence to schools closed for at least 10 school days. This provision is from SB 469.
- **Section 23** – Adds an exception to the confidentiality requirement for certain personal information of victims of human trafficking to include records that have been made part of a court file in the custody of the General Court of Justice. This provision is from SB 469.
- **Section 24** – Creates two new positions for the Samarcaud Training Academy within the Department of Public Safety: Director and Deputy Director. This provision is from SB 469.
- **Section 25** – Provides that of the appointments to each county board of elections by the State Board, two members each shall belong to the two political parties having the highest number of registered affiliates as reflected by the latest registration statistics published by the State Board. The State chair of the two political parties having the highest number of registered affiliates as reflected by the latest registration statistics published by the State Board shall have the right to recommend to the State Board three registered voters in each county for appointment to the board of elections in that county. This section is effective when House Bill 1029, 2017 Regular Session becomes law. This provision is new.
- **Section 26** – Under current law, some development may occur in State required vegetative buffers that protect specific classifications of waters (classified shellfish waters, outstanding resource

# Senate CCS 469

Page 4

waters, and high quality waters). By removing references to these specific classifications of waters, subsection (a) would allow development in vegetative buffers that protect any type of waters under certain circumstances. Subsection (b) would clarify that certain stormwater programs apply to all local governments regardless of their regulatory authority and require local governments to include certain redevelopment requirements in their ordinances. This provision is new.

- **Section 27** – Allows the Wayne County Board of Education to apply to the State Board of Education to adopt a restart model for the operation of Carver Heights Elementary School and repeals the requirement that the State Board of Education select at least two qualifying schools to transfer to the Innovative School District no later than the 2019-2020 school year. This provision replaces a provision found in Section 20 of SB 469, *Innovative School District Revisions*.

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