SENATE BILL 8:
Various Local Changes/Nonpublic School Background Checks.

2017-2018 General Assembly

Committee:	House Finance	**Date:**	June 28, 2017
Introduced by:	Sens. Wells, Brown, Pate	**Prepared by:**	Trina Griffin
Analysis of:	PCS to Third Edition S8-CSSV-47		Staff Attorney

OVERVIEW: The PCS for Senate Bill 8 would do the following:

- ➢ *Provide an exemption to building code provisions allowing construction of a parking garage to extend across a lot line between a city-owned lot and a privately-owned lot without meeting certain requirements that apply to exterior walls approaching a lot line.*

- ➢ *Restrict what stormwater runoff requirements a local government can apply to public airports.*

- ➢ *Require nonpublic schools that accept students receiving scholarship grants to conduct background checks on all full-time, part-time, and contract employees whose duties require the employees to be on school property.*

- ➢ *Revise the composition of the Lincolnton-Lincoln Airport Authority, to name the airport, and to name the airfield within the airport.*

BILL ANALYSIS:

<u>*Section 1: Building Code exemption.*</u> – Section 1 would provide an exemption to building code provisions allowing construction of a parking garage to extend across a lot line between a city-owned lot and a privately-owned lot without meeting certain requirements that apply to exterior walls approaching a lot line. This would allow a parking garage to be constructed as if it were on a single parcel, eliminating increased fire rating requirements for exterior walls and limitations on openings that would be unworkable for certain projects.

<u>*Section 2: Stormwater control rules.*</u> – Section 2 would amend stormwater runoff rules for airports by not allowing local governments to require control measures that promote standing water and requiring local governments to deem runways in compliance with water supply watershed management protection ordinances if they provide certain measures of stormwater control.

<u>*Section 3: Nonpublic school criminal background checks.*</u> – G.S. 115C-562.5 requires nonpublic schools that accept students receiving Opportunity Scholarship Grants to comply with certain requirements, including providing to the State Education Assistance Authority (SEAA) a criminal background check for the staff member at the nonpublic school with the highest decision making authority, to ensure that the staff member has not been convicted of any of the crimes that are screened for by local boards of education. Section 3 of this bill would require instead that nonpublic schools provide to the SEAA a criminal background check for all employees (full-time, part-time, or contract) whose duties require them to be on the property of the nonpublic schools. The provision would become

effective September 1, 2017, and apply to existing and future employees, but schools would have until December 1, 2017 to submit checks on existing employees to the SEAA.

Section 4: Lincolnton-Lincoln Airport Authority Changes. – Section 4 of the bill would do the following:

- Revise the composition of the Lincolnton-Lincoln Airport Authority. Currently, the Authority consists of seven members, 3 of whom are appointed by the Lincolnton City Council, 3 of whom are appointed by the Lincoln County Board of Commissioners, and 1 member who shall be appointed by the other 6 members of the Authority. The bill would change the composition to be five members: 4 of whom are appointed by the county commissioners and 1 who is appointed by the city council. It would also limit the members to two consecutive term limits.

- Name the airport as the "Lincolnton-Lincoln County Airport.

- Name the airfield within the airport as the "David E. Lowe Airfield."

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