



HOUSE BILL 661: Age Requirement Modifications/Capital Projects Oversight/BEAD Corrections.

2021-2022 General Assembly

Committee:		Date:	July 18, 2022
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2022-69		

OVERVIEW: *S.L. 2022-69 does the following:*

- *Clarifies that qualified youth 15 years of age and older can enroll in fire training courses at community colleges on or after January 1, 2021.*
- *Reduces the age requirement for malt beverage wholesaler salesmen from 21 to 18 years.*
- *Allows persons 15 years of age to work inside premises that serve alcohol until December 31, 2023.*
- *Eliminates a requirement that the State Building Commission and Director of the Budget approve guidelines adopted by the State Board of Community Colleges that must be met by community colleges in order to be delegated authority over capital improvement projects.*
- *Provides that the Department of Administration is not required to review and approve plans and specifications for a State-funded capital improvement project costing less than \$2 million that has been delegated to a community college unless requested to do so in writing by the State Board of Community Colleges.*
- *Eliminates an annual reporting obligation of the Community Colleges System Office for capital improvement projects estimated to require expenditure of less than \$2 million of public funds.*
- *Makes a technical correction to the 2022 Appropriations Act relating to the use of federal infrastructure funds by the Department of Information Technology for grants in the Broadband Equity, Access, and Deployment Program.*

Except as otherwise provided, this act became effective July 8, 2022.

CURRENT LAW and BILL ANALYSIS:

Section 1

Under G.S. 95-25.5, youth under 18 cannot be employed by any employer in any occupation without a youth employment certificate unless specifically exempted by law. Numerous exemptions are provided in the statute based on age, type of work, and hours of work. Qualified youth under the age of 18 are allowed to participate in training through their fire department, the Office of the State Fire Marshal, and the North Carolina Community College System. "Qualified youth under the age of 18" means an uncompensated fire department or rescue squad member who is at least the age of 15 and under the age of 18 and who is a member of a bona fide fire department or rescue squad.

G.S. 115D-20(4) sets forth when students younger than 16 years old can take courses at community colleges.

Jeffrey Hudson
Director



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Section 1 of the act clarifies that qualified youth 15 and older can enroll in courses, including certification-eligible courses, in fire training at a community college on a specialized course list approved by the State Board of Community Colleges.

This section applies to any course enrolled in by a qualified youth on or after January 1, 2021.

Section 2

G.S. 18B-1111 requires all salesmen for a beer and wine wholesaler to have a salesman permit. Currently, a person must be 21 years of age or older to be issued a salesman permit.

Section 2 of the act reduces the required age for issuance of a salesman permit from 21 to 18 years of age.

Section 3

G.S. 95-25.5(j) prohibits ABC permittees from employing anyone under the age of 18 to "prepare, serve, dispense or sell any alcoholic beverages...except for sale of alcoholic beverages at the point-of-sale for only off-premises consumption." Additionally, no one under 14 can work at an ABC permittee that serves alcohol for on-premises consumption, and youth ages 14 and 15 can only work with the written consent of a parent or guardian and "on the outside grounds of the premises for a purpose that does not involve preparation, serving, dispensing, or sale of alcoholic beverages."

Section 3 temporarily allows youths 15 years of age to work inside an ABC permittee premises that allows on-premises consumption. This section expires December 31, 2023.

Section 4

G.S. 115D-9:

- Requires a community college to meet guidelines adopted by the State Board of Community Colleges (Board) and approved by the State Building Commission (Commission) and the Director of the Budget (Director), before the Board can delegate its authority to the college for State-funded property developments of the North Carolina Community College System requiring the estimated expenditure of public money of \$4 million or less.
- Requires the Community Colleges System Office to report to the Commission by October 1 of each year a list of projects governed by this section, the estimated and actual cost of each, the name of each person awarded a contract under this section, and whether that person is a minority business or minority person as statutorily defined.
- Provides that if the Board determines that a community college has the expertise necessary to manage a capital improvement project funded with non-State funds, the project's plans and specifications are not subject to review and approval by the Department of Administration prior to the awarding of a contract under G.S. 143-341(3), unless the assistance of the Office of State Construction is requested.

Section 4 of the act:

- Eliminates the requirement that the Commission and Director approve Board-adopted guidelines that a community college must meet in order to be delegated authority for a capital improvement project.
- Exempts projects having an estimated required expenditure of public funds of less than \$2 million from the list of projects included in the Community Colleges System Office's annual report to the Commission.

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- Exempts plans and specifications for State-funded capital improvement projects costing less than \$2 million that have been delegated to a community college from required review and approval by the Department of Administration.

Section 5

G.S. 143-341(3) requires that, for construction or renovation of all community college buildings requiring the estimated expenditure of \$2 million or more in public money, the Department of Administration must review and approve all plans and specifications prior to the awarding of a contract and must review and approve all changes in those plans and specifications made after the contract is awarded.

Section 5 of the act provides that upon written request from the State Board of Community Colleges, the Department of Administration must review and approve all plans and specifications for construction or renovation of community college buildings requiring the estimated expenditure of less than \$2 million in public money, and must review and approve all changes in those plans and specifications after the contract is awarded.

Section 6

Section 6 of the act amends the 2022 Appropriations Act (Session Law 2022-74) to authorize the Department of Information Technology to use up to three percent of initial federal funds received under the Broadband, Equity, Access, and Deployment Program for planning purposes and to use up to two percent of such funds for administrative purposes. This section became effective July 1, 2022.

EFFECTIVE DATE: Except as otherwise provided, this act became effective July 8, 2022. Section 1 of the act applies to any courses, including certification-eligible courses, a qualified youth enrolls in on or after January 1, 2021. Section 3 of the act expires December 31, 2023.

**LAD Staff Attorneys Drupti Chauhan and Susan Sitze substantially contributed to this summary.*