

State Government

See full summary documents for additional detail

H103 - 2022 Appropriations Act.

Sec. 11.6: JMAC Program Expansion. (SL 2022-74)

Section 11.6 of S.L. 2022-74 expands eligibility for the Job Maintenance and Capital Development (JMAC) program to include a supply-chain impact manufacturing employer that invests at least \$110 million in private funds and retains at least 420 full-time equivalent employees while transitioning away from coal-based energy products.

This section became effective July 1, 2022.

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Sec. 11.11: Megasite Readiness Program. (SL 2022-74)

Section 11.11 of S.L. 2022-74 establishes within the Department of Commerce (Department) the North Carolina Megasite Fund (Fund) to be administered and developed by the Economic Development Partnership of North Carolina (EDPNC). The first \$1 million of the Fund will be used to evaluate locations in the State and determine five megasites best positioned for manufacturing in industries such as aerospace, automotive, clean energy, food processing, and life sciences. The remainder of the Fund will be used as a competitive grant program for local governments to acquire such megasites.

The EDPNC is required to submit an annual report to the Department on or before April 1 of each year documenting the grants awarded, matching funds required, activities needed for the megasites and associated costs, major employers locating to the site, and unallocated grants remaining in the Fund. The Department is required to submit a consolidated version of the EDPNC report by May 1 of each year to the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources, House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources, Joint Legislative Economic Development and Global Engagement Oversight Committee, Office of State Budget and Management, and Fiscal Research Division of the General Assembly.

This section became effective July 1, 2022.

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Sec. 19E.1: 211 System Collaboration. (SL 2022-74)

Section 19E.1 of S.L. 2022-74 requires the Division of Emergency Management and other responding State agencies to consult with the operating entity of NC 2-1-1 when planning initiatives or programs involving telephonic or text communications to individuals affected by disaster declarations or state of emergency declarations.

This section becomes effective October 1, 2022.

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Sec. 21.1: Office of Administrative Hearings Staffing Flexibility. (SL 2022-74)

Section 21.1 of S.L. 2022-74 provides the Chief Administrative Law Judge the same authority granted each head of a principal State department. Subject to the State Budget Act and the North Carolina Human Resources Act, the Chief Administrative Law Judge of the Office of Administrative Hearings may do the following:

- Create necessary subordinate positions and appoint and remove employees appointed to those subordinate positions.
- Supervise, direct, and control all employees within the Office of Administrative Hearings.
- Transfer officers and employees within offices as determined necessary by the Chief Administrative Law Judge.
- Change the duties, titles, and compensation of existing offices as determined necessary by the Chief Administrative Law Judge.

This section became effective July 1, 2022.

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Sec. 23.1: OSBM/Report to Oversight Committee on New Positions. (SL 2022-74)

Section 23.1 of S.L. 2022-74 requires the Office of State Budget and Management to report quarterly to the Joint Legislative Oversight Committee on General Government (Committee) and the Fiscal Research Division of the General Assembly on the number of new positions established by a State agency under the purview of the Committee and approved by the Director of the Budget. Pursuant to G.S. 143C-2-1, the Governor is the Director of the Budget.

The report must include all of the following: (i) the justification for each position established, (ii) the position title and duties of each position, (iii) the salary for each position, and (iv) the source of funds used to establish each position.

This section became effective July 1, 2022.

H177 - Extend Spiking Moratorium/LGERS Surety. (SL 2022-70)

S.L. 2022-70 extends the pension-spiking moratorium enacted in S.L. 2021-72 from June 30, 2022, to June 30, 2023, and requires the Local Governmental Employees' Retirement System's (LGERS) Board of Trustees to adopt rules for eligible employers that do not have taxing authority in order to cover a withdrawal liability should they cease participation in the Retirement System.

This act became effective June 30, 2022.

H219 - Amend Environmental Laws. (SL 2022-43)

S.L. 2022-43 does the following:

- Sets a deadline for reversion for certain directed infrastructure projects.
- Expands the Department of Environmental Quality's (DEQ) authorization for use of river debris funding.
- Makes a technical correction to a Flood Resiliency Blueprint provision.
- Provides the Division of Marine Fisheries flexibility in maintaining its aircraft.
- Aligns Coastal Area Management Act public notice requirements for land-use plan hearings with existing local government notice requirements.
- Directs DEQ to study the express permit and certification review program and the fast-track stormwater permitting program.
- Authorizes DEQ to allow limited wastewater discharges to waters with naturally occurring low dissolved oxygen levels.
- Makes changes to the mining permit notice requirements and appeal deadlines.

This act has various effective dates. Please see the full summary for more details.

H332 - State Nature and Historic Preserve Additions/Deletions. (SL 2022-31)

S.L. 2022-31 does the following:

- Accepts certain properties as part of the State Nature and Historic Preserve (Preserve).
- Removes certain properties from the Preserve.
- Makes various conforming and technical changes to the State Nature and Historic Preserve Dedication Act.

This act became effective June 30, 2022.

H619 - Weston's Law. (SL 2022-56)

S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

H776 - Remote Electronic Notarization. (SL 2022-54)

S.L. 2022-54 does the following:

- Allows, effective July 1, 2023, authorized North Carolina notaries to remotely perform electronic notarial acts using real time online communication technology. At the time of the remote electronic notarial act, the notary to the transaction would be required to be physically located in North Carolina and the principal anywhere inside the United States or, in certain circumstances, outside the United States.
- Reauthorizes, effective July 8, 2022, temporary use of the emergency video authorization to perform remote notarizations until June 30, 2023.

H911 - Regulatory Reform Act of 2022.

Sec. 5: State Auditor Technical Change. (SL 2022-75)

Section 5 of S.L. 2022-75 eliminates outdated statutory language in the State Budget Act directing State agencies to register grant programs and recipients with the State Auditor's office.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 7: Sensitive Public Security Information Public Records Changes. (SL 2022-75)

Section 7 of S.L. 2022-75 broadens the public records exemption for detailed plans and drawings of public buildings and infrastructure to include plans and drawings contained in information storage systems or geographic information system (GIS) databases, as well as design information about energy infrastructure.

This section became effective July 12, 2022.

H911 - Regulatory Reform Act of 2022.

Sec. 9: Exempt Off-Frame Modular Homes from Certain Design Elements Required by the North Carolina Building Code. (SL 2022-75)

Section 9 of S.L. 2022-75 exempts certain modular home designs from certain requirements for roof pitch, eave projection, minimum heights, siding and roofing materials, and foundations found in in the North Carolina Building Code.

This section became effective July 12, 2022.

H1056 - Ret. & Treasury Admin. Changes Act of 2022. (SL 2022-14)

S.L. 2022-14 allows a limited exception to the irrevocable election to transfer funds from supplemental plans to the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS); makes changes related to the reporting of inactive employees in the TSERS and LGERS; establishes a default option for employing units that fail to select an option for the transfer of assets when a 403(b) plan is discontinued; clarifies the non-assignability of line of duty death benefits for public safety employees; clarifies the administration of long-term disability benefits; amends

the criteria for agreements for property finders to include signature requirements; and to clarifies the Local Government Commission authority as it relates to a request for proposal for a guaranteed energy savings contract that involves a financing agreement.. Except as otherwise provided, the act became effective July 1, 2022.

H1058 - Retirement & Treasury Technical Corrections Act of 2022. (SL 2022-16)

S.L. 2022-16 makes technical and conforming changes to statutes pertaining to the Teachers' and State Employees' Retirement System (TSERS), Local Governmental Employees' Retirement System (LGERS), the Consolidated Judicial System (CJRS), the Separate Insurance Benefits Plan for State and Local Governmental Law Enforcement Officers, the Achieve a Better Life Experience (ABLE) Program, and the Firefighters' and Rescue Squad Workers' Pension Fund. Specific changes are outlined in the full analysis.

The act became effective July 1, 2022.

H1068 - UNC Non-Appropriated Capital Projects. (SL 2022-15)

S.L. 2022-15 authorizes the financing and construction of listed capital improvement projects by the constituent institutions of The University of North Carolina. The projects will be financed through revenue bonds, special obligation bonds, and other funds available to the institutions, excluding tuition and appropriations from the General Fund. This act also makes a series of changes related to capital improvement projects included in the 2021 Appropriations Act.

This act became effective June 29, 2022.

S372 - Electrical Licensing/Building Code/Development Reform 2022. (SL 2022-11)

S.L. 2022-11 makes various changes to the electrical licensing, wastewater, Building Code and development laws of the State.

- G.S. 143-151.58(a) as amended by Section 11(b) of this act was subsequently amended by Section 24(a) of S.L. 2022-46.

This act has various effective dates. Please see the full summary for more detail.

S435 - Terminations of States of Emergency. (SL 2022-57)

S.L. 2022-57 establishes certain notice requirements when prohibitions or restrictions enacted during a local state of emergency expire or terminate, effective July 8, 2022.