



INTRODUCTION

What a rollercoaster ride we are on this session! I have been a lobbyist and involved in the General Assembly for over 20 years and I have never seen a session move this quickly. Some of this makes sense in that the leadership teams for both the House and the Senate have been fairly consistent and should know their caucus and have a pretty good plan for what they want to get done. We are hearing that the Senate expects to roll out their version of the budget in about two weeks and that the conference committee wants to complete their work on the final budget by the middle of May! I have not seen a budget done that early ever and frankly the trend has been to take longer and longer, with some budgets not being done until July and August and a few years in there not reaching a budget consensus at all. Of course, much has to happen before a Budget is approved so we will see what happens! More than usual is riding on this budget to be approved since Medicaid Expansion is also on the line.

As you can see by the length of this legislative report and the next few – bill filing deadlines are here. That means the bill drafting division is trying to finalize all the bills in their pipeline to file by the deadlines – Senate deadline was April 6th and the House has two deadlines, public bills by April 18th and bills regarding appropriations or finance by April 25th. We understand that over 220 bills were filed on April 6th and some of those bills will be in committee next week. It is very difficult for lobbyists, let alone the public, to keep up with all the bills and respond to them. It will be a very busy few weeks at the General Assembly working toward May 4th which is the Crossover Deadline – the date that a bill must move from the chamber it was filed in to the other chamber. If it does not move by that date, officially the bill is ineligible to be heard for the session. The exceptions are bills that impact spending (appropriations) or taxes (finance) as these are eligible for the length of the session.

Please bear with us as we go through all the bills and summarize the ones that are either relevant to your organization or have substantial public interest. We will get the reports out as quickly as we can while working on your issues.



NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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BILLS OF INTEREST

HOUSE BILL 552/SENATE BILL 467, 2023 MOMnibus Act, addresses deaths in black women related to pregnancy complications by:

- directing the Department of Health and Human Services to establish a Maternal Mortality Prevention Grant Program to award grants to community-based organizations for the prevention of maternal mortality among black women, and appropriating funds to run the program;
- requiring implicit bias training for health care professionals engaged in perinatal care; and
- appropriating funds to two universities for lactation training programs to establish a diverse workforce of lactation consultants in the state.

Introduced by Representatives von Haefen, Hawkins, Cunningham and Alston and referred to the House Rules Committee, and introduced by Senators Murdock, Batch and Robinson and referred to the Senate Appropriations/Base Budget Committee.

HOUSE BILL 553, Expand TANF Eligibility to Include Pregnancy, expands Temporary Assistance for Needy Families benefits to include pregnant women. **Introduced by Representatives Staton-Williams, Frances Jackson, and Price and referred to the House Rules Committee.**

HOUSE BILL 557, North Carolina Healing Arts Commission, establishes a regulatory framework in the state for the practice of reflexology, music therapy and naturopathic medicine, and creates the North Carolina Healing Arts Commission to oversee licensure and discipline of these practices. Each of the three types of practice would have an advisory committee appointed by the commission to fulfill daily regulation of these professions. The legislation defines reflexology, music therapy and naturopathic medicine, requires licensure to practice each, and allows reciprocity with other states for each. It also creates a Naturopathic Doctors Formulary Council appointed by that practice's advisory committee to develop a formulary of natural remedies that may require a prescription. Applicants for licensure in naturopathic medicine would be subject to criminal background checks. The legislation establishes penalties for violations of the requirements in the bill, including written warnings, civil fines, and misdemeanor charges. **Introduced by Representatives Warren and Riddell and referred to the House Health Committee.**

HOUSE BILL 558/SENATE BILL 469, Funds for Maternal Health Programs, appropriates \$1.25 million to several nonprofit organizations to assist Black pregnant women. **Introduced by Representatives Hawkins, von Haefen and Staton-Williams and referred to the House Appropriations committee, and introduced by Senators Salvador, Murdock and Applewhite and referred to the Senate Appropriations/Base Budget Committee.**

HOUSE BILL 563, Regulate Cannabinoid Products & Kratom, would regulate the sale and distribution of products containing a hemp-derived cannabinoid and establish a regulatory framework for the commercialization of kratom. **Introduced by Representatives McNeely, Sasser, Cotham, and Fontenot and referred to the House Agriculture Committee.**

HOUSE BILL 567, Health Care Freedom Act, would prohibit a health care provider from refusing to provide health care or professional services to an individual seeking a health care treatment for an emergency medical condition due to the individual's vaccination status at the time health care treatment is requested or during the course of health care treatment. "Vaccination status" would mean an indication of whether an individual has received a vaccine of any kind. An individual could bring a civil action against a health care provider for a violation and a prevailing plaintiff

would be entitled to one or more of the following: (1) damages, including punitive damages and actual damages; (2) injunctive and any other court-approved relief; or (3) reasonable attorney fees and costs. A health care provider who violates this section would be guilty of a Class 2 misdemeanor and referred to the appropriate licensing agency for disciplinary action. The bill would also provide \$10,000 to the Department of Health and Human Services for outreach and education efforts related to the implementation of this provision. **Introduced by Representatives Willis, Bell, Wheatley, and Biggs and referred to the House Health Committee.**

HOUSE BILL 569, Working Families Act, is identical to Senate Bill 555, summarized below in this Legislative Report. **Introduced by Representatives Harris, Staton-Williams, John, and Jeffers and referred to the House Rules Committee.**

HOUSE BILL 573, Fair Medicaid ASC Reimbursements, is identical to Senate Bill 586, summarized below in this Legislative Report. **Introduced by Representatives White, Sasser, and K. Baker and referred to the House Health Committee.**

HOUSE BILL 576/SENATE BILL 624, Health Care Practitioner Transparency Act, strengthens current requirements for health care practitioner identification badges by removing exceptions to wearing of a badge, and by requiring a recent photograph of the practitioner and the expiration date of the license on the badge. Practitioners must post in their offices a document identifying the type of license held by the practitioner. The bill also adds requirements for practitioners to identify the type of license held by the practitioner in any advertising, and prohibits deceptive or misleading information in advertising or in any other form. A medical doctor or doctor of osteopathic medicine who participates in collaborative practice agreements shall post in each office a schedule of the hours when the medical doctor or doctor of osteopathic medicine is present.

Violators of the law would be guilty of unprofessional conduct and subject to disciplinary action from the relevant licensure board. A person who is injured as a result of violations may take action in Wake County Superior Court for injunctive relief. Each day of noncompliance of these requirements counts as a separate violation. Practitioners that work in non-patient settings and do not have any direct patient health care interactions do not have to meet these requirements. The bill directs the various boards that license health care practitioners to adopt temporary rules to implement the legislation. **Introduced by Representatives Kristin Baker, Reeder, Potts and Pare and referred to the House Health Committee, and introduced by Senators Perry and Lazarra and referred to the Senate Rules Committee.**

HOUSE BILL 581, Investing in North Carolina Act, would allow a tax credit to a qualifying taxpayer (an employer or payer subject to income tax that has annual receipts for the most recent previous tax year of \$8 million or less) equal to the lesser of (i) \$10,000 or (ii) five percent (5%) of the wages paid by the qualifying taxpayer during the taxable year. **Introduced by Representatives von Haefen, Gill, Charles Smith, and Prather and referred to the House Rules Committee.**

HOUSE BILL 586/SENATE BILL 644, No Covid-19 Discrimination/Organ Transplantation, prohibits organ transplant centers from refusing to accept organ donations from or transplant organs into individuals who have not received a COVID-19 vaccination or series of vaccinations. Such centers and other healthcare entities also may not take the following actions because of an individual's refusal to receive COVID-19 vaccinations:

- deny medical services related to transplantation;
- refuse to refer the individual to a transplant center;

- refuse to place a recipient on the transplant waiting list or place the recipient on the list at a lower priority;
- refuse insurance coverage for any service related to organ transplantation.

Introduced by Representatives Cairns, Stevens, Kristin Baker and White and referred to the House Health Committee, and introduced by Senator Perry and referred to the Senate Rules Committee.

HOUSE BILL 587, NC Genetic Counselors Workforce Act, is identical to Senate Bill 491, summarized below in this Legislative Report. **Introduced by Representatives Potts, K. Baker, Sasser, and Reeder and referred to the House Health Committee.**

HOUSE BILL 589, Protect Whistleblower LEOs from Retaliation, is identical to Senate Bill 534, summarized below in this Legislative Report. **Introduced by Representatives Zenger, Hardister, K. Brown, and Cotham and referred to the House Judiciary 3 Committee.**

SENATE BILL 464, Raise the Age of Sexual Consent, would amend the statutes related to sexual offenses by raising the age of sexual consent as follows:

- statutory rape – would increase the maximum age of statutory rape victims from 15 to 17 and reduce the minimum age gap between individuals from six to four years;
- statutory criminal sexual acts – would increase the maximum age of criminal sexual acts victims from 15 to 17 and reduce the minimum age gap between individuals from six to four years;
- incest – would amend the applicable ages of victims for Class B1 and C felonies to also include victims aged 16 and 17, and provide that no child under age 18 (was, 16) is liable if the other person is at least four years older when the incest occurred;
- dissemination of obscene material – would increase the maximum age of prohibited recipients from 16 to 18;
- indecent liberties with children – would increase the age of a perpetrator from 16 or older to 18 or older, and increase the age of children who are victims from under 16 to under 18; and
- indecent activities between children – would amend the age of the perpetrator from under the age of 16 to under the age of 18.

Introduced by Senators Jarvis, Britt, and Sawyer and referred to the Senate Rules Committee.

SENATE BILL 466, Help Medically Complex Children, directs the Department of Health and Human Services to seek approval from the Centers for Medicare and Medicaid to cover comprehensive genomic testing of Medicaid beneficiaries 21 years old or younger and appropriates the state matching funds for this purpose. **Introduced by Senators Perry and Lee and referred to the Appropriations/Base Budget Committee.**

SENATE BILL 470, NC Consumer Fireworks Safety Act, authorizes the possession, sale and discharge of consumer fireworks to those 18 years old and older. Fireworks may only be discharged between 10:00 a.m. and 10:00 p.m., except on certain holidays. They are prohibited on the premises of schools, universities and public parks unless the user has permission, and prohibited within 500 feet of a hospital, animal care facility, child care facility, fireworks businesses, gas station and petroleum storage facility. A City may adopt an ordinance regulating the use of consumer fireworks. **Introduced by Senators Galey, Settle and Hanig and referred to the Senate Rules Committee.**

SENATE BILL 471, Automatic Voter Registration, would: (1) provide for automatic voter registration at driver's license offices, public agencies, community colleges, and colleges and universities of the University of North Carolina; and (2) require the State Board of Elections to implement an outreach campaign informing citizens about automatic voter registration. **Introduced by Senators Woodard, Batch, and Meyer and referred to the Senate Rules Committee.**

SENATE BILL 473, PCP and Psychiatrists Forgivable Loan Program, establishes the Primary Care Providers and Psychiatrists Forgivable Loan Program and appropriates funds to provide forgivable loans to medical school students who agree to practice primary care medicine or psychiatry on a full-time basis in a tier one or two county. **Introduced by Senators Burgin, Krawiec and Corbin and referred to the Senate Rules Committee.**

SENATE BILL 474, Accessing Midwives Act, establishes licensure for midwives in the state and creates the NC Council of Midwives to issue and govern licensure. Applicants for licensure must complete all educational and clinical training and have earned a national midwifery certification credential. Licenses would be valid for two years and would have reciprocity with other states. **Introduced by Senator Burgin and referred to the Senate Rules Committee.**

SENATE BILL 477, Amend Bus. Corp. Act/Bus. Opp. Disclosures, would make various technical and clarifying changes to the NC Business Corporation Act, including:

- defining the terms *email* and *email address*;
- providing that written notice by a corporation to its shareholder is effective when deposited in the US mail with postage prepaid and correctly addressed to the shareholder's address shown in the corporation's current record of shareholders;
- allowing any notice by a corporation to be delivered to shareholders by email to the email address shown in the corporation's current record of shareholders, unless the shareholder has previously notified the corporation in writing objecting to receiving communications by email;
- requiring the shareholders' list to show shareholders' email addresses or addresses for electronic transmission if meeting notices or communications will be sent by email or electronic means; and
- amending provisions regarding authority for actions required or permitted to be taken at a shareholders' meeting to be taken without a meeting and without prior notice.

Introduced by Senators Galey and Overcash and referred to the Senate Judiciary Committee.

SENATE BILL 479, Hire NC Workers, would provide that an eligible small business that hires an employee who is a North Carolina resident would be allowed a tax credit for a full-time qualifying employee equal to the product of \$7,500 multiplied by a fraction, the numerator of which is the number of weeks the employee worked at least 35 hours and the denominator of which is 52. The amount of the credit for a part-time qualifying employee would be equal to the product of \$3,750 multiplied by a fraction, the numerator of which is the number of weeks the employee worked at least 20 hours but less than 35 hours and the denominator of which is 52. An eligible small business would be a business, other than an eligible restaurant, with cumulative gross receipts from business activity for the taxable year not in excess of \$1 million, having fewer than 99 employees, and subject to income tax. **Introduced by Senators Batch, Garrett, and Smith and referred to the Senate Rules Committee.**

SENATE BILL 481, Small Business Investment Grant, would provide \$250 million to the Department of Commerce for the COVID-19 Small Business Recovery Program. The Department would provide a one-time grant to each qualifying business not to exceed the lesser of (i) \$250,000 or (ii) the amount of reduction in sales tax collections of the qualifying business resulting from the COVID-19 pandemic for the 2020 tax year when compared to collections for the 2019 tax year. A qualifying business would be an entity (i) subject to income tax, (ii) with annual receipts, when combined with the annual receipts of all related persons, for the 2019 tax year of \$8 million or less, and (iii) a reduction of at least 25% in sales tax collections resulting from the COVID-19 pandemic for the 2020 tax year when compared to collections for the 2019 tax year. A grant under the program would be conditioned on a recipient business maintaining operations for a minimum of six months following receipt of the grant, and the Department would clawback a proportionate amount of the grant for any portion of the six months the recipient business does not maintain business operations. **Introduced by Senators Batch, Garrett, and Salvador and referred to the Senate Rules Committee.**

SENATE BILL 482, Business Income Tax Deduction, would allow a business income tax deduction in an amount not to exceed \$75,000 of net business income the taxpayer receives during the taxable year. In the case of a married couple filing a joint return where both spouses receive or incur net business income, the maximum dollar amounts apply separately to each spouse's net business income, not to exceed a total of \$150,000. "Business income" would not include income that is considered passive income. **Introduced by Senators Batch, Garrett, and Chaudhuri and referred to the Senate Rules Committee.**

SENATE BILL 484, Make Election Day a State Holiday, would make the statewide general election day an official State holiday and amend the State Human Resources Act to make that day a paid holiday for State employees. **Introduced by Senators Batch, Garrett, and Grafstein and referred to the Senate Rules Committee.**

SENATE BILL 485, Study Cell Phone Use in School, would direct the Department of Public Instruction, in consultation with the Department of Health and Human Services, the North Carolina School Boards Association, the North Carolina Association of School Administrators, the University of North Carolina School of Public Health, and the University of North Carolina School of Education, to study cell phone policies in public elementary and secondary schools. The Department would contact the governing bodies of public schools to collect and analyze the following information:

- whether the policy is implemented by the governing board of the public school or at the individual school level;
- what the cell phone policy is, and specifically if the school uses any of the following policies:
 - complete ban on cell phone use or possession at school;
 - storage of cell phones in a secure location during the instructional day;
 - no cell phone restrictions;
- the impact of the policy on learning;
- the impact of the policy on cyberbullying;
- the impact of the policy on school safety;
- any other information the Department or consultant agencies deem relevant to the study.

No later than June 30, 2024, the Department would report to the Joint Legislative Education Oversight Committee on the study, including: (1) number of schools studied; (2) grade level and size of classes studied; (3) recommendations regarding cell phone use; and (4) estimated cost of

implementing recommended policies, if any. **Introduced by Senators Chaudhuri and Burgin and referred to the Senate Rules Committee.**

SENATE JOINT RESOLUTION 487, Term Limits for Congress, is identical to House Joint Resolution 151, summarized in the February 28, 2023, Legislative Report. **Introduced by Senators Johnson, Settle, and Galey and referred to the Senate Rules Committee.**

SENATE BILL 491, NC Genetic Counselors Workforce Act, establishes the Genetic Counselors Licensure Board to regulate the practice of genetic counseling. **Introduced by Senators Moffitt and Krawiec and referred to the Senate Rules Committee.**

SENATE BILL 495, 2023 Safe Drinking Water Act, would require the Commission for Public Health to establish maximum contaminant levels (MCLs) for chemicals that are probable or known carcinogens or are otherwise toxic and to annually review the latest peer-reviewed science and independent or government agency studies and undertake additional rulemaking, as necessary, to establish or revise MCLs for contaminants that are likely to pose a substantial threat to public health. The bill would provide \$6 million to the Department of Health and Human Services to carry out these requirements. **Introduced by Senators Batch, Applewhite, and Marcus and referred to the Senate Rules Committee.**

SENATE BILL 496, Increase Safe Use of Firearms, would: (1) authorize the issuance of an extreme risk protection order to restrict temporarily a person's access to firearms if there is evidence that the person poses a danger of physical harm to self or others; (2) promote gun safety by strengthening the law governing the safe storage of firearms; (3) require universal background checks; (4) make the State Bureau of Investigation responsible for pistol purchase permits; (5) reinstate the permit requirement to purchase a pistol for private sale; and (6) exempt firearm safety and storage items from sales tax. **Introduced by Senators Batch, Garrett, and Bode and referred to the Senate Rules Committee.**

SENATE BILL 510, The Constituent Bill of Rights, would provide to the General Assembly \$1.408 million (nonrecurring) and an additional \$162,000 in each of the next two years to obtain, install, and maintain equipment in committee meeting rooms and the Senate chamber to allow for the recording of and viewing by the public via the internet of committee meetings and chamber proceedings to ensure (1) real-time access via the internet to the audio and the video of committee meetings and chamber proceedings and (2) archival and time-shifted viewing access via the internet to the audio and video of committee meetings and chamber proceedings for a period of 10 years. **Introduced by Senators Smith and Grafstein and referred to the Senate Appropriations Committee.**

SENATE BILL 513, North Carolina Healing Arts Commission, is identical to House Bill 557, summarized above in this Legislative Report. **Introduced by Senators Krawiec and P. Newton and referred to the Senate Rules Committee.**

SENATE BILL 522, Informational Literacy Bill, would direct the State Board of Education to adopt standards for age-appropriate instruction on informational literacy for kindergarten through grade 12. The standards would include at least the following: (1) the research process and how information is created and reproduced; (2) critical thinking skills and how to use information resources; (3) methods of research, including the difference between primary and secondary sources; (4) the differences between facts, points of view, and opinions; (5) how to access peer-reviewed print and digital library resources; (6) the economic, legal, and social issues surrounding

the use of information; and (7) the ethical production of information. The term "informational literacy" would be defined as a set of skills that enable an individual to recognize when information is needed and to locate, evaluate, and use the needed information effectively and would include, but not limited to, digital, visual, media, textual, and technological literacy. **Introduced by Senators Hunt, Murdock, and Salvador and referred to the Senate Rules Committee.**

SENATE BILL 525, Consumer Privacy Act, would enact the North Carolina Consumer Privacy Act which establishes four consumer rights to: (1) confirm whether a controller is processing the consumer's personal data and access the consumer's personal data; (2) delete the consumer's personal data that the consumer provided to the controller; (3) obtain a copy of the consumer's personal data that the consumer previously provided to the consumer, in a readily usable format as described; and (4) opt out of the processing of the consumer's data for purposes of targeted advertising or the sale of personal data. The Consumer Protection Division of the Department of Justice would establish and administer a system to receive and investigate consumer complaints regarding alleged violations. The bill sets out enforcement procedures, including notice of violations, and an opportunity to cure noticed violations and provides for the recovery of actual damages to the consumer and up to \$7,500 for each violation. **Introduced by Senators Salvador, Moffitt, and Hanig and referred to the Senate Rules Committee.**

SENATE BILL 534, Protect Whistleblower LEOs from Retaliation, would prohibit an observing officer reporting an alleged unauthorized use of force from being terminated, disciplined, or otherwise retaliated against for making that report; however, this would not prohibit councils, supervisors, department heads, or other appropriate authorities from taking disciplinary action against the observing officer for conduct that occurred prior to making the report. Making a knowingly false report would be a Class 2 misdemeanor. The bill would require a criminal justice officer who, while in the line of duty, observes any of the following conduct and possesses a reasonable opportunity to intervene to, if it is safe to do so, attempt to intervene to prevent the continuation of the conduct: (1) violations of federal, state, city, or county laws, ordinances, or regulations; fraud; misappropriation of state, city, or county resources; activity that poses a substantial danger to public health and safety; or gross mismanagement, including the gross waste of public monies or the gross abuse of authority. The officer would, within a reasonable period of time not to exceed 72 hours after the conduct occurred, report the conduct to an immediate supervisor, department head, or appropriate authority, even if the officer did not have a reasonable opportunity to intervene. **Introduced by Senators Hanig and Corbin and referred to the Senate Rules Committee.**

SENATE BILL 538, Law Enforcement Investment Act, requires all law enforcement agencies to establish Crisis Intervention Teams with members trained to address mental or behavioral health crises. Law enforcement agencies must have established such teams by December 1, 2026 to be eligible for Governor's Crime Commission grants. The bill appropriates funds for grants to law enforcement agencies for Crisis Intervention Team training. **Introduced by Senators Batch, Garrett and Applewhite and referred to the Senate Rules Committee.**

SENATE BILL 540, Right to Use Contraception, would state that the right to use contraception implicates the fundamental liberty to prevent pregnancy, and that it is the policy of the State of North Carolina that this State has no legitimate governmental interest in limiting the freedom to use contraception to prevent pregnancy. **Introduced by Senator Grafstein and referred to the Senate Rules Committee.**

SENATE BILL 551, *Extend COVID Safe Harbor*, would repeal the statute that provided limited immunity from claims for relief arising from any act or omission alleged to have resulted in the contraction of COVID-19 applicable to claims arising no later than 180 days after the expiration or rescission of Executive Order No. 116 issued by the Governor on March 10, 2020 (which declared a State of Emergency in response to COVID-19 and set out related provisions). **Introduced by Senators Moffitt and Lazzara and referred to the Senate Rules Committee.**

SENATE BILL 555, *Working Families Act*, would: (1) reduce parent copayments for subsidized child care; (2) reenact the child tax credit; (3) increase the State minimum wage to \$15 per hour and grant local governments flexibility to set a higher local minimum wage; (4) increase the income eligibility limit for the property tax homestead circuit breaker; (5) create a Homebuyers' Assistance Program with the North Carolina Housing Finance Agency for first-time homebuyers who work as public servants; and (6) enact the North Carolina Paid Family Leave Insurance Act to help working families and create and appropriate funds for an Employer Grant Fund to offset costs incurred by employers. **Introduced by Senators Marcus, Meyer, and Mohammed and referred to the Senate Rules Committee.**

SENATE BILL 560, *Medical Treatment for Minors Act*, prohibits any health care provider from providing gender transition procedures to any individual younger than 18 years of age. Exceptions to the prohibition include:

- a pediatric psychiatrist certifies that the patient suffers from a condition that would benefit from a gender transition procedure, both parents and the patient sign a consent form, and the patient receives care including monthly pediatric psychiatry appointments for six months before the procedure and ongoing care until the patient becomes 18;
- the service is to a person with a medically verifiable disorder of sex development;
- treatment of an injury or disease caused by a gender transition procedure;
- a procedure to address a physical problem that would place the individual in imminent danger of death or impairment without the procedure.

All counseling or treatment must be through face-to-face appointments and not by telehealth.

Violations are considered unprofessional conduct and subject to revocation of licensure and discipline by the appropriate licensing board. The legislation also provides for civil remedies if the minor patient is injured. **Introduced by Senators Krawiec, Burgin and Corbin and referred to the Senate Rules Committee.**

SENATE BILL 560, *Medical Treatment for Minors Act*, would establish governing provisions for the treatment of gender dysphoria for persons under eighteen years of age, including:

- prohibiting a physician or other health care provider from providing gender transition procedures to any individual under 18 years of age, except as provided, and from referring any individual under 18 years of age to any health care provider for gender transition procedures;
- providing that the conditions for a lawful gender transition procedure are: (1) certification from at least two physicians (one of which must be a pediatric psychiatrist not employed by the practice or institution as the other certifying physician) that the patient suffers from a condition that would benefit from a gender transition procedure; (2) both parents must sign the standardized consent form; (3) the patient must sign the standardized consent form; (4) the patient must receive care consisting of at least monthly appointments with a pediatric psychiatrist for the six months preceding the gender transition procedure; (5) both the physician and the pediatric psychiatrist must separately document the need for ongoing

therapy every six months; and (6) the patient must receive ongoing care from a pediatric psychiatrist until the patient reaches the age of majority;

- prohibiting public funds from being directly or indirectly used, granted, paid, or distributed to any entity, organization, or individual that provides gender transition procedures to a minor; and
- establishing civil liability for the physician or health care provider if the minor is injured, including suffering any physical, psychological, emotional, or physiological injury from the gender transition procedure.

Introduced by Senators Krawiec, Burgin, and Corbin and referred to the Senate Rules Committee.

SENATE BILL 564, Improper Action Claims Act, would allow citizens of the State who become aware of actions by a public entity that do not comply with legislation enacted by the State to have a cause of action against the public entity to cure noncompliance and provide remedies in the form of damages. **Introduced by Senator Moffitt and referred to the Senate Rules Committee.**

SENATE BILL 567, School Mental Health Support Act, establishes a School Mental Health Grant Program and a Mental Health Worker Loan Repayment Program, and appropriates funds to implement both programs. The bill directs the Department of Public Instruction to create the school grant program to increase student access to mental health support personnel in public school units. DPI shall select awardees based on the need of the public school unit, which shall use awarded funds to contract with mental health support personnel to provide services in schools in the unit. The State Education Assistance Authority shall administer the worker loan program to repay student debt of mental health workers. **Introduced by Senators Batch, Garrett and Lowe and referred to the Senate Rules Committee.**

SENATE BILL 569, Create Public App. for Reporting Threats, would provide \$100,000 to the Department of Public Safety to develop, in consultation with the Department of Information Technology and the State Bureau of Investigation, an operational plan for the creation of a digital public safety application that does, at a minimum, each of the following: (1) allows any member of the public to quickly and anonymously report information regarding threats to public safety; (2) communicates with existing applications and initiatives designed to protect public safety; and (3) communicates with State and local law enforcement agencies regarding reported threats deemed to be credible. No later than April 1, 2024, the Department of Public Safety would report to the Joint Legislative Oversight Committee on Justice and Public Safety with the proposed plan. **Introduced by Senator Marcus and referred to the Senate Rules Committee.**

SENATE BILL 570, Modernize Reg/Master's Level Psychologists, enables licensed psychological associates to practice independently without the supervision of a licensed psychologist if the associate has 3000 hours of postgraduate degree experience under the supervision of a licensed psychologist during at least 24 but no more than 60 consecutive months, and the associate submits an application for independent practice with documentation of the experience. The legislation also changes the method of appointment of members of the NC Psychology Board so that upon a vacancy, the board would solicit applications from all licensees, all licensees shall vote on the applicants, and the top three vote recipient names would be submitted to the Governor to choose the appointee. Current law has the NC Psychological Association submitting three names to the Governor for consideration. **Introduced by Senator Burgin and referred to the Senate Rules Committee.**

SENATE BILL 571, NC Accountability/Safety Net, provides that nongovernmental organizations contracting with public agencies for the provision of health care services would not be liable for injury or damage caused by a public agency, and that an NGO or a public agency would bear its own costs of defending itself against claims. The legislation also allows that nongovernmental independent contractors providing health care services under contract with a public agency are treated as the public agency for purposes of limiting liability. This is accomplished through monetary limits equal to those for the public agency and requiring that claims are filed in court and not before the Industrial Commission. **Introduced by Senator Burgin and referred to the Senate Rules Committee.**

SENATE BILL 577, DMV Proposed Legislative Changes, would make various changes to laws related to motor vehicles, as recommended by the Division of Motor Vehicles, including:

- authorizing the Commissioner of Motor Vehicles to issue a mobile(electronic) driver's license as a supplemental license upon request of a valid license holder;
- specifying that a mobile driver's license should be treated as the legal equivalent of a valid license;
- requiring the Division of Motor Vehicles to study and provide a plan for implementing mobile drivers' licenses and mobile special identification cards, and to report its findings, including any legislative recommendations, to the North Carolina General Assembly, the chairs of the Joint Legislative Transportation Oversight Committee, and the Fiscal Research Division no later than January 1, 2024; and
- adding disclosure of an applicant's social security number to the State Board of Elections to verify voter registration data as an additional circumstance where the DMV is authorized to disclose a driver's license applicant's social security number.

Introduced by Senators McInnis, Sawyer, and Lazzara and referred to the Senate Rules Committee.

SENATE BILL 580, DOT Legislative Changes, would make various changes to the State's transportation laws, as recommended by the Department of Transportation, including allowing the Department of Transportation to enter into agreements with the North Carolina State Bureau of Investigation for the placement and use of automatic license plate reader systems within land or right-of-way owned by the Department of Transportation as part of a pilot program. No later than March 1, 2024, the State Bureau of Investigation would report to the Joint Legislative Oversight Committee on Justice and Public Safety and the Joint Legislative Transportation Oversight Committee on the automatic license plate reader systems, including the written policy governing use of each automatic license plate reader system, the number of requests for captured data by requesting agency, and the amount of data preserved for more than 90 days compared to the amount of data captured on an annual basis. The bill would limit access and disclosure of data obtained by a law enforcement agency to law enforcement purposes which would include: (1) actions related to criminal investigations, arrests, prosecutions, post-conviction confinement, or supervision; (2) apprehending an individual with an outstanding felony warrant; (3) locating a missing or endangered person; or (4) locating a lost or stolen vehicle. The bill would further limit disclosure of captured plate data to criminal justice officers of State or local law enforcement agencies or similar officials at a federal law enforcement agency for a legitimate law enforcement purpose pursuant to a written request from the requesting agency. **Introduced by Senators McInnis, Sawyer, and Lazzara and referred to the Senate Rules Committee.**

SENATE BILL 584, Breast Cancer Diagnostic Imaging Reform, strengthens health insurance requirements for breast cancer by requiring health benefit plans to provide coverage for breast ultrasounds and multiple mammograms or ultrasounds per year for women with dense breast tissue

if recommended by a physician. The bill also would require parity in the patient cost of diagnostic and supplemental exams for breast cancer as compared to breast cancer screenings. The bill appropriates \$1.5 million in one-time funds to the NC Community College System to develop a program and incentives for the recruitment, hiring and retention of certified mammography technologists to work in rural and medically underserved areas. **Introduced by Senators Batch, Chaudhuri and Bode and referred to the Senate Rules Committee.**

SENATE BILL 586, Fair Medicaid ASC Reimbursements, directs the Department of Health and Human Services to reimburse Medicaid services provided by licensed ambulatory surgical centers at 95 percent of the Medicare Ambulatory Surgical Centers fee schedule. It also requires Medicaid coverage of dental surgeries performed at ambulatory surgical centers be reimbursed at 95 percent of the Medicare Part B Hospital Outpatient Prospective Payment System rate. **Introduced by Senators Krawiec, Burgin and Corbin and referred to the Senate Rules Committee.**

SENATE BILL 593, Amend Level 2 License Restrictions, would amend the provisions regarding level 2 restrictions related to limited learner's permits and provisional driver's licenses given to individuals under age 18 to allow for one additional passenger under 21 years of age who is not a member of the license holder's immediate family or member of the license holder's household to be in the vehicle when that passenger is a student being driven directly to or from school. **Introduced by Senator Woodard and referred to the Senate Rules Committee.**

SENATE BILL 595, Primary Care Payment Reform Task Force, establishes the North Carolina Primary Care Payment Reform Task Force to conduct an actuarial evaluation of the current healthcare spend on primary care services, determine the adequacy of the primary care delivery system in the state, and identify data to inform creation of a primary care investment target. Members of the task force include representatives from DHHS, the NC Department of Insurance, the State Health Plan, the Area Health Education Centers, the NC Health Information Exchange Authority, the physician and nurse primary care communities, and the commercial health insurance community. **Introduced by Senators Hise and Burgin and referred to the Senate Appropriations/Base Budget Committee.**

SENATE BILL 597, Pharmacists/Collaborative Practice, expands the ability of physicians and clinical pharmacist practitioners to collaborate by allowing such pharmacists to perform a broader range of health care services in addition to the drug therapy management allowed by current law. These services include conducting drug substitutions and ordering tests or devices to assist with drug therapy, disease, or population health management. The pharmacist and physician must enter into a written collaborative practice agreement that is site-specific, and a supervising physician must conduct a periodic review and evaluation of the health care services provided by the pharmacist. The agreement may be between a group practice and a pharmacist. A physician may collaborate with multiple clinical pharmacist practitioners but must only supervise as many as the physician deems safe and effective. The bill also requires insurers to reimburse pharmacists at the same rate as other health care providers for the same services. **Introduced by Senators Hise and Krawiec and referred to the Senate Rules Committee.**

SENATE BILL 598, Healthy Students – A Nurse in Every School, requires local boards of education to ensure all schools have a nurse available to students at all times throughout the instructional day and appropriates funds to do so. **Introduced by Senators Waddell, Batch and Smith and referred to the Senate Appropriations/Base Budget Committee.**

SENATE BILL 601, First Responders Mental Health Care Plan, creates a supplemental insurance policy to provide a mental health care benefits plan for first responders. Employees eligible include law enforcement officers, firefighters, volunteer firefighters, 911 dispatchers, emergency medical technicians employed by government agencies, and detention officers, correctional or probation officers employed by government agencies. Benefits include coverage for medical costs, leave from work, and disability. **Introduced by Senators Johnson, Lazzara and Perry and referred to the Senate Rules Committee.**

SENATE BILL 605, No Forced Microchip Implants for Employees, would prohibit an employer from (1) asking on an application for employment or inquiring during an interview if a prospective employee will consent to having a microchip implanted in his or her body, or (2) requiring an employee to have a microchip implanted in the employee's body as a condition of employment. An employer would have to provide reasonable accommodations for an employee who does not consent to having a microchip implanted. A microchip could be implanted in an employee's body at the request of an employer if the employee provides the employer with written consent, and the employee could request the removal of the microchip at any time. The microchip would have to be removed within 30 days after an employee is terminated from employment unless the employee elects to retain the implanted microchip. If the employee retains the implanted microchip, the employee would assume responsibility for all associated costs, including medical costs. The act would not prevent an employer from using alternative noninvasive technology to track the movement of an employee. **Introduced by Senators Alexander, Moffitt, and Ford and referred to the Senate Rules Committee.**

SENATE BILL 614, Comm. Health Wkrs./Maternal Hlth. Disparities, appropriates \$3.75 million in each of the next two fiscal years to DHHS for grants to federally qualified health centers to hire and deploy community health workers to rural, medically underserved and low-wealth areas of the state to reduce racial and ethnic disparities in maternal and infant health outcomes. **Introduced by Senators Robinson and Applewhite and referred to the Senate Appropriations/Base Budget Committee.**

SENATE BILL 620, Social Media Accountability Act, would establish a private right of action for a user (a State resident who is a natural person, age 18 or older) against the owner of a social media website who contracts with the user if the website (1) deletes or censors the user's religious speech or political speech, or (2) uses an algorithm to disfavor or censor the user's religious speech or political speech. This conduct would be an unfair and deceptive trade practice and remedies would include actual damages, statutory damages of up to \$75,000, punitive damages, and injunctive or other equitable relief. The bill includes exceptions, including calls for immediate violence or encouraging criminal conduct, but specifies that a user's alleged hate speech, as defined, cannot be used as a basis for justification or as a defense to an action under this provision. A "social media website" would mean a website or application that enables users to communicate with each other by posting information, comments, messages, or images and that (i) is open to the public, (ii) has more than 75,000,000 users with user profiles provided by the website, and (iii) from its inception, has had no specific affiliation with any one religion or political party. **Introduced by Senators Alexander, Johnson, and Corbin and referred to the Senate Rules Committee.**

SENATE BILL 625, Child Welfare, Safety and Permanency Reforms, modifies the procedures when a juvenile in custody of social services is brought to an emergency department for mental health treatment. The bill requires the hospital to notify the county social services director and requires the director to notify the LME/MCO or prepaid health plan within 24 hours to request an

assessment. It shortens the time from five business days to 48 hours for the LME/MCO or PHP to arrange for the assessment. The hospital may not release the juvenile unless the juvenile meets hospital discharge criteria, placement as recommended by the assessment is available, or it receives consent from the individual or the county director. The county social services director, the LME/MCO or PHP shall notify DHHS's Rapid Response Team if any of them anticipate being unable to identify placement or a treatment provider, the assessment recommendations differ from the preferences of the individual or county director, the assessment is delayed, or the juvenile is released without meeting any of the required criteria for discharge. Upon notification, the Rapid Response Team shall evaluate if it needs to take action and, if so, develop a plan with the LME/MCO or PHP.

The bill adds a member to DHHS's Rapid Response Team from the Division of Child and Family Well-Being, limits who can attend Rapid Response Team meetings, and makes records from the meetings exempt from public records requirements. The legislation also adjusts the process for any party involved in the juvenile's case to file a motion if any violation of the requirements for notification, assessment, discharge, or access to the juvenile or relevant information occurs. District court must hear the motion within five days of filing. **Introduced by Senators Krawiec, Jarvis and Batch and referred to the Senate Rules Committee.**

SENATE JOINT RESOLUTION 628, Article V Convention of the States, would apply to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. **Introduced by Senator Moffitt and referred to the Senate Rules Committee.**

SENATE BILL 629, Driver Improvement Clinics/Motorcycles, authorizes the Division of Motor Vehicles to contract with third-party vendors to conduct driver improvement clinics for Motorcycles currently conducted by DMV. **Introduced by Senators Alexander, Galey and Jarvis and referred to the Senate Rules Committee.**

SENATE BILL 630, Constitutional Amendment/Citizens-Only Voting, would amend the State Constitution, if approved by a majority of the qualified voters of the State at the statewide general election to be held on November 5, 2024, to provide that only a citizen of the United States who is 18 years of age and otherwise possessing the qualifications for voting is entitled to vote at any election in this State. **Introduced by Senators B. Newton, Overcash, and Daniel and referred to the Senate Rules Committee.**

SENATE BILL 639, Youth Health Protection Act, would make it unlawful for a medical professional or mental health care professional or counselor to knowingly: (1) engage in any of the specified practices upon a minor, or cause them to be performed for the purpose of attempting to alter the appearance of or affirm the minor's perception of his or her gender or sex, if that appearance or perception is inconsistent with the minor's sex; or (2) engage in conduct that aids or abets these practices to a minor. A medical professional or mental health care professional or counselor who engages in any of the practices identified would be considered to have engaged in unprofessional conduct and subject to revocation of licensure for a minimum of one year and other appropriate discipline by the medical professional's licensing or certifying board and subject to a civil penalty of up to \$1,000 per occurrence. The bill would allow parents, guardians, or custodians, in exercising the fundamental right to care for their child, to withhold consent for any treatment, activity, or mental health care services that are designed and intended to form their child's

conceptions of sex and gender or to treat gender dysphoria or gender nonconformity. The State, its agents, and political subdivisions would not infringe upon or impede the exercise of this right. The bill also includes provisions for civil remedies and whistleblower protections. **Introduced by Senators Hise, B. Newton, and Sanderson and referred to the Senate Rules Committee.**

SENATE BILL 651, Tax Relief For All, would reduce state individual income tax rates and set the tax as a percentage of taxable income as follows: (1) for 2023, lowered from 4.75% to 4.5%; (2) for 2024, lowered from 4.6% to 3.99%; (3) for 2025, lowered from 4.5% to 3.49%; (4) for 2026, lowered from 4.25% to 2.99%; and (5) after 2026, lowered from 3.99% to 2.49%. **Introduced by Senators Berger, Rabon, and P. Newton and referred to the Senate Rules Committee.**

SENATE BILL 652, Investing in North Carolina Act, is identical to House Bill 581, summarized above in this Legislative Report. **Introduced by Senators Applewhite, Garrett, and Salvador and referred to the Senate Appropriations Committee.**

SENATE BILL 739, Defining Anti-Semitism in North Carolina, would:

- enact provisions regarding the standard for determining anti-Semitic discrimination, which would require law enforcement, a court, or other relevant authority, in determining whether a person charged with a crime was motivated to commit the crime by the victim's race, ethnic origin, or religious affiliation, to take into consideration (1) the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, and incorporated into federal Executive Order 13899, 84 Federal Register 68779 and (2) the "Contemporary Examples of Anti-Semitism" identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory antisemitic intent;
- include and amend provisions regarding State Equal Employment Practices, housing, employment discrimination, and interference with civil rights to require the court or other relevant authority to take into consideration the IHRA Provisions in determining whether a person alleging antisemitic bias in these matters has been illegally discriminated against on the basis of race, ethnic origin, or religious affiliation;
- require the Equal Employment Opportunity training for supervisors or managers in State agencies, departments, institutions, and The University of North Carolina to also include training on anti-Semitic bias as unlawful discrimination using the IHRA Provisions; and
- provide that these provisions may not be construed to do either of the following: (1) diminish or infringe upon any right protected under the First Amendment of the United States Constitution or Section 14 of Article I of the Constitution of the State of North Carolina; or (2) conflict with federal, State, or local discrimination laws.

Introduced by Senator Hanig and referred to the Senate Rules Committee.

BILL UPDATES

HOUSE BILL 259, 2023 Appropriations Act. The budget bill was amended to allocate \$12.5 million in each of the next two fiscal years to The Golden LEAF for grants to community colleges, governmental entities, or non-profit organizations providing workforce training. Funds may be used for the purchase and installation of equipment, building renovations, purchase of instructional materials and supplies, personnel costs, and for student supports, apprenticeships, internships and similar costs. **The bill as amended was approved by the full House and will next be considered by the Senate.**

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