



INTRODUCTION

It is officially the short session of the General Assembly that began on April 24th and is on a fast track! Gov. Cooper laid out his recommended budget adjustments on opening day of session this year. His recommended budget prioritizes investments in public education, child care, workforce development, Medicaid, and environmental protection. The proposed budget aims to raise teacher pay by 8.5% and invest over \$1 billion in public schools using some of the funds currently routed towards taxpayer-funded private school vouchers. The Governor’s budget would further issue a moratorium on the private school voucher program. Additionally, the budget aims to strengthen child care and early education funding, offers salary increases and retention bonuses for state employees, and invests in workforce development and job creation programs. His recommendation also includes \$458 million in additional funding for Medicaid. Environmental protection measures include funding for clean drinking water initiatives, conservation efforts, and resilience programs to mitigate the impact of natural disasters.

“This budget is an opportunity to build on our state’s momentum and make up ground in areas like public education, quality child care and clean drinking water, where legislators have fallen short,” said Gov. Cooper. “As the number one state to do business in the country for two years in a row, we have the formula for success in our high-quality public schools, talented workforce and thriving economy. We must make targeted investments strengthening public education, boosting economic development, and protecting our natural resources to secure a bright future for North Carolina.” Prior to viewing Gov. Cooper’s budget, Senate leader Berger shared some initial thoughts on whether or not any of Gov. Cooper’s recommendations might be on the table this short session. “There may be some things there that we can work with. There are probably a lot of things that we won’t be able to work with,” Senate leader Berger said. “We are going to, I anticipate, work on budget adjustments that will keep us within a growth factor that recognizes population growth and inflation. In order to do that, I don’t know that we can go as far as what the governor is talking about — whether we’ll do any of those things,” Berger said.



NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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REP. BRANSON

Rep. Jerry "Alan" Branson has officially been welcomed to the General Assembly, and will occupy Rep. Jon Hardister's Guildford County seat for the remainder of his term. Rep. Branson will serve on the following committees: Education - Universities, Judiciary 2, UNC Board of Governors Nominations, Finance, and Local Government.

DOT SECRETARY NOMINEE

A confirmation hearing for NC Department of Transportation Secretary Nominee Joey Hopkins was one of the first orders of business for this short session. Senate Transportation members made many of their questions for Hopkins around increased financial accountability for the Department. Hopkins assured the Senate Transportation Committee that efforts are underway to address these issues, like consulting with experts to establish a short-term plan to align financial reporting with their general ledger. Hopkins also hinted at the possibility of seeking additional funding for this endeavor as they progress. "We're moving forward with that," Hopkins said. "We may need to come back to you to ask for funding to help with that as we get further along." The Committee will vote on Hopkin's confirmation at the next Transportation Committee meeting.

FIREARM POLICIES

Advocates from both sides on firearm policy made their way to the legislature at the very start of session. Grass Roots North Carolina delivered boxes of signed petitions in support of House Bill 189, which would allow concealed carry without a permit, to Senate leader Berger's office. The next day, Democratic members of the legislature, alongside members of Moms Demand Action, Students Demand Action, and the Everytown Survivor Network, advocated for increased firearm regulation in a press conference. "In the 2023 North Carolina Child Fatality Task Force report, gun deaths for children have increased dramatically, more than 200% between 2012 and 2021," Sen. Jay Chaudhuri said. "I think by far and away one of the biggest mistakes our General Assembly made was eliminating strong background checks that now allow domestic abusers and other dangerous people to own handguns and take away law enforcement's ability to stop these crimes." Rep. Marcia Morey also commented on the possibility of removing the concealed carry permit, saying "it will make things less safe and take away any training requirements that go with getting concealed-carry permits. We are definitely opposed to that."

BILL FILING DEADLINE

The deadline to file most bills (except local bills) was last week so almost 300 bills were filed in the span of a week. We will summarize a great many of those bills below and will finish up the rest of the bills in the next legislative report along with updates on legislation.

BILLS OF INTEREST

HOUSE BILL 899, No Firearms Code for Credit Card Transactions, would prohibit a financial institution from using a firearms code in connection with a payment card transaction involving a firearms retailer located in this State. The Attorney General could investigate an alleged violation, and after notice and an opportunity for hearing, if the Attorney General determines that a financial institution committed a violation, the Attorney General could assess a civil penalty of not more than \$10,000 for each violation. The bill would also provide \$5,000 to the NC Chamber to notify businesses throughout this State of the provision. **Introduced by Representatives Cleveland and Warren and referred to the House Appropriations Committee.**

HOUSE BILL 903, Add Tianeptine to the Constrolled Substance List, would add Tianeptine to the Schedule II controlled substance list, which is currently sold over the counter in gas stations

and other small shops. **Introduced by Representatives Ross, Sossamon, Pare and White and referred to the House Judiciary 2 Committee.**

HOUSE BILL 908, Decriminalize Reproductive Health, would repeal the abortion restrictions passed into law in Senate Bill 20 and provide various protections for women's right to access abortion. Among other provisions, the bill would make it lawful to assist or support an individual seeking an abortion or obtaining contraception in another state; make it a Class H felony to engage in any one of four specified acts towards a person seeking an abortion, including threats, harassment, misuse of personal information, or blocking ingress or egress of a healthcare facility; and enact the Right to Use Contraception Act. **Introduced by Representative Staton-Williams and referred to the House Rules Committee.**

HOUSE BILL 922, Marine Life Protection Act, would make it unlawful for any person to engage in a balloon release. A violation could be enforced by any law enforcement officer as an infraction. The bill also would provide \$100,000 to the Department of Environmental Quality for educational activities related to the prohibition. **Introduced by Representatives Harrison, Autry, Butler, and Belk and referred to the House Appropriations Committee.**

HOUSE BILL 929, Highway Safety Omnibus/Addit'l Magistrates, would fund the recording and storage of video from Department of Transportation highway cameras as follows:

- require that \$20 million in nonrecurring funds for 2024-25 and \$15 million in recurring funds of the funds appropriated from the General Fund to the Department for 2024-25 be allocated for the Department to record and store video from the Department's highway cameras;
- prohibit highway camera video records stored by the Department from being disclosed except as provided below;
- enact new statute that would:
- set out and define terms, including defining highway camera as a Department of Transportation video or digital camera, located on highway rights-of-way, for the purpose of monitoring vehicle traffic;
- specify that recordings under this statute are not public records;
- allow a person to request disclosure of a recording through a written request to the Department that includes the name of the person making the request, date and approximate time of the activity, or otherwise identify the activity with reasonable particularity sufficient to identify the recording;
- allow disclosure of a recording to only: (1) a person whose image or voice is in the recording; (2) a personal representative of an adult person whose image or voice is in the recording, if the adult person has consented to the disclosure; (3) a personal representative of a minor or of an adult person under lawful guardianship whose image or voice is in the recording; (4) a personal representative of a deceased person whose image or voice is in the recording; (5) a personal representative of an adult person who is incapacitated and unable to provide consent to disclosure;
- require disclosing only the portions of the recording relevant to the person's request;
- prohibit a person receiving disclosure from recording or copying the recording;
- require the Department to make the disclosure or deny the request as promptly as possible, and set out six factors the Department is to consider when deciding whether to grant or deny the request;
- set out the procedure under which the person seeking disclosure may apply to the appropriate superior court for a review of the denial of disclosure when disclosure has been denied or disclosure has not been made more than three business days after the request.

Sets out conditions under which the court may order disclosure, and list individuals that must be notified and given an opportunity to be heard at the hearing;

- provide that recordings are to be released only pursuant to court order, and allow any person requesting release of a recording to file an action in the appropriate superior court for an order releasing the recording;
- require the request to state the date and approximate time of the activity captured in the recording or otherwise identify the activity with reasonable particularity sufficient to identify the recording to which the action refers;
- set out factors the court is to consider in determining whether to order the release of all or a portion of the recording, limit the release to only those portions of the recording relevant to the person's request and allows placing conditions or restrictions on the release, and list individuals that must be notified and given an opportunity to be heard at the hearing;
- require the Department to disclose or release a recording to a district attorney (1) for review of potential criminal charges, (2) to comply with discovery requirements in a criminal prosecution, (3) for use in criminal proceedings in district court, or (4) for any other law enforcement purpose and allows disclosure or release of a recording for suspect identification or apprehension or to locate a missing or abducted person;
- provide that the Department is not required to retain any recording subject to this statute for more than 30 days, unless a court orders otherwise;
- provide that no civil liability arises from compliance with the statute, so long as the acts or omissions are made in good faith;
- allow the Department to charge a fee for making a copy of a recording for release, not to exceed the actual costs, and prohibit the court from awarding attorneys' fees; and
- prohibit using recordings subject to the statute for fines or private investigation, and provide that no elected official may review recordings subject to this statute, unless they meet the statute's disclosure criteria; excludes a county sheriff or district attorney if review of the recordings is within the scope of a criminal investigation.

Introduced by Representatives Logan, Belk, G. Brown, and Hawkins and referred to the House Appropriations Committee.

HOUSE BILL 934, Make State Employment Great Again, would establish a Reserve for Appreciation Increases (Appreciation Reserve) in recognition of the valuable contributions made by State employees. The Appreciation Reserve would fund the following in two Phases over the next two fiscal years: (1) a one-time bonus in the amount of \$5,000 awarded to each State employee in Phase I, in appreciation for their continued commitment and efforts, effective July 4, 2024; and (2) a moderate and equitable five percent (5%) across-the-board pay raise for State employees. This legislative salary adjustment acknowledges the dedication and hard work of our State-employee workforce, effective on July 30, 2024, for Phase I and on July 4, 2025, for Phase II. State employee would not include employees of (i) local boards of education, (ii) local community colleges, or (iii) schools operated by the Departments of Health and Human Services, Public Safety, or Adult Correction, or by the State Board of Education who are paid based on the Teacher Salary Schedule. **Introduced by Representatives Roberson, Logan, and Price and referred to the House Appropriations Committee.**

HOUSE BILL 935, Reorganize and Fund Rare Disease Adv. Council, would transfer the Advisory Council on Rare Diseases from the UNC-Chapel Hill School of Medicine to the Department of Health and Human Services, expand its membership to 15 to include more practitioners and stakeholders, and expand its responsibilities. **Introduced by Representatives Carney and Lambeth and referred to House Health Committee.**

HOUSE BILL 938, GSC Moral Turpitude/Occupational Licensure, would:

- clarify the prohibition on denying licensure based on a determination that a conviction is for a crime of moral turpitude;
- define *deny licensure or denies licensure* to mean to refuse to issue a license to an applicant, to refuse to renew the license of a licensee, or to revoke the license of a licensee; and
- amend the definition of criminal history record to require that the crime bear upon an applicant's or licensee's fitness to be licensed or disciplined.

Introduced by Representative Davis and referred to the House Judiciary I Committee.

HOUSE BILL 939, Access to Transcranial Magnetic Stimulation, would require any health insurance plan that provides coverage for transcranial magnetic stimulation to provide such coverage for procedures performed by any properly licensed provider or facility regardless of the medical specialty of the provider or facility submitting the claim. **Introduced by Representatives Sasser, Potts and Crutchfield and referred to the House Health Committee.**

HOUSE BILL 942, SHALOM Act, would: (1) adopt the Working Definition of Antisemitism adopted by the International Holocaust Remembrance Alliance on May 26, 2016, including the contemporary examples of antisemitism set forth therein, as a tool and guide for training, education, recognizing, and combating antisemitic hate crimes or discrimination and for tracking and reporting antisemitic incidents in this State; (2) provide that these provisions may not be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or the Constitution of North Carolina; and (3) provide \$10,000 to the Department of Administration to fund implementation of, and education about, these provisions. **Introduced by Representatives Moore, Ross, Cotham, and Paré and referred to the House Judiciary I Committee.**

HOUSE BILL 943, Regional Community Health Center Funds, would provide \$750,000 for a grant to Cabarrus Rowan Community Health Centers for expansion of the behavioral health and dental health programs at its Sugar Creek Health Center in Mecklenburg County. **Introduced by Representatives Belk, K Baker, Carney and Majeed and referred to the House Appropriations Committee.**

HOUSE BILL 954, Community Health Center Grants for LARCs, would increase FY 2025 funding from \$3.5 million to \$8.5 million for grants to local health departments and community health centers to provide long-acting reversible contraceptives for underserved, uninsured or medically indigent patients. **Introduced by Representatives Staton-Williams and Everitt and referred to the House Rules Committee.**

SENATE BILL 777, Funds for AMM/Urban Ministries Clinics, would provide \$100,896 in grant funds to the NC Association of Free and Charitable Clinics, Inc. for a nurse practitioner position to serve uninsured residents at both the Alliance Medical Ministry and Urban Ministries Open Door Clinics in Wake County. **Introduced by Senator Adcock and referred to the Senate Appropriations/Base Budget Committee.**

SENATE BILL 786, Add Psychiatric Hospitals to Medicaid HASP, would include freestanding psychiatric hospitals in the hospital facilities eligible to receive funding from hospital assessments collected through the Healthcare Access and Stabilization Program. Such psychiatric hospitals would also be subject to the hospital assessment. The bill delineates the formulas for psychiatric hospitals' assessment and HASP component share. The Centers for Medicare & Medicaid Services would have to approve the inclusion of freestanding psychiatric hospitals in the program.

Introduced by Senators Hise and Krawiec and referred to the Senate Appropriations Committee.

SENATE BILL 787, Redefine Hospice Facilities/Licensure & CON, would add “patients 20 years old or younger who have been diagnosed with limited life expectancy” to the definitions of “hospice inpatient facility” and “hospice residential care facility” for purposes of hospital licensure and certificate of need review. **Introduced by Senator Hise and referred to the Senate Appropriations Committee.**

SENATE BILL 789, NC Health Benefits Exchange Implementation, would direct the Commissioner of Insurance to establish a state-run health benefits exchange as allowed under federal law and appropriates \$100,000 annually to operate the exchange. **Introduced by Senator Hise and referred to the Senate Rules Committee.**

SENATE BILL 805, Make State Employment Great Again, is identical to House Bill 934, summarized above in this Legislative Report. **Introduced by Senator Smith and referred to the Senate Rules Committee.**

BILL UPDATES

HOUSE BILL 10, Require Sheriffs to Cooperate with ICE, was amended in the Senate Judiciary Committee to establish a complaint procedure for any person, including a federal agency, to file a complaint with the Attorney General alleging that an administrator has failed or is failing to comply with immigration detainers, and to remove funding that was to be used to hire two full-time Jail Inspectors. The bill as amended was approved by the Senate Judiciary and Rules Committee. **After further amendment on the Senate floor, the bill was approved by the full Senate and will next go back to the House to consider the changes made to the bill in the Senate. A version of this legislation has been approved twice by the General Assembly and vetoed twice by Governor Cooper.**

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