

March 5, 2009

S 425. FAIR HOUSING ACT AMENDMENT. Filed 3/4/09. *AMENDING THE STATE FAIR HOUSING ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF RECEIPT OF HOUSING ASSISTANCE AND TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO ADMINISTER THIS ACT.*

As the title indicates. Amends GS 41A-3 to add a new subdivision defining *housing assistance* as a subsidy provided to defray the cost of rental housing for a household that has a member who is either: (1) age 62 or older, or (2) has been found eligible for a government-funded disability program.

Amends GS 41A-4 to add *housing assistance* to the list of factors that when used as a basis for discriminatory actions in real estate transactions, real estate related transactions, or participation in real estate related services or organizations, constitute unlawful discriminatory housing practices.

Makes conforming changes to GS 41A-5, regarding proof of a violation of GS Chapter 41A. Also provides that it is *not* a violation of the Chapter if the housing assistance on which the transaction is dependent is not authorized for the transaction within 14 days of the date of the landlord's approval of the tenant. Makes conforming changes to GS 41A-6(a), regarding exceptions to the application of the provisions of GS 41A-4 (unlawful discriminatory housing practices).

Makes additional technical changes.

Allocates \$50,000 of the funds appropriated to the Department of Administration for the 2009-10 fiscal year to the NC Human Relations Commission for use in handling additional claims that arise from the addition of housing assistance status to this act.

Effective October 1, 2009, and applies to actions taken or not taken on or after this date.

Intro. by Kinnaird.

GS 41A

May 11, 2009

S 425. FAIR HOUSING ACT AMENDMENT. Filed 3/4/09. Senate committee substitute makes the following changes to 1st edition. Deletes the provision that allocated \$50,000 of the funds appropriated to the Department of Administration for the 2009-10 fiscal year to the North Carolina Human Relations Commission for use in handling additional claims arising out of the addition of housing assistance status to the Fair Housing Act.

May 12, 2009

S 425. FAIR HOUSING ACT AMENDMENT. Filed 3/4/09. Senate amendment makes the following changes to 2nd edition. Changes title to *AMENDING THE STATE FAIR HOUSING ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF RECEIPT OF HOUSING ASSISTANCE.*

August 6, 2009

S 425. STREAMLINE PLAN REV. & INSPECTION/STATE BLDGS. (NEW). Filed 3/4/09. House committee substitute deletes all the provisions of the 3rd edition and replaces it with *AN ACT TO STREAMLINE THE PLAN REVIEW AND INSPECTION PROCESS FOR STATE BUILDINGS BY TRANSFERRING THE AUTHORITY FOR BUILDING CODE ENFORCEMENT WITH RESPECT TO STATE BUILDINGS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY TRANSFERRING FOUR CODE ENFORCEMENT POSITIONS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY CREATING FOUR CODE ENFORCEMENT POSITIONS IN THE DEPARTMENT OF ADMINISTRATION; AND TO CONTINUE THE SECRETARY OF ADMINISTRATION'S AUTHORITY TO APPOINT MEMBERS TO THE BOARD OF AWARDS.*

Amends GS 58-31-40 to require the Commissioner of Insurance (Commissioner), after at minimum an annual inspection of state property, to notify in writing the agency or official in charge of the property of any defect or any necessary improvement, and to forward a copy of that notice to the Department of Administration. Deletes provision that requires the submission of plans as to the proposed building to the Commissioner for approval as to fire safety for buildings erected for

the use of the state or any state institution, and also deletes provision directing the Commissioner to review such plans.

Enacts new GS 143-345.11 to provide that plans for erecting a building for the use of the state or any state institution cannot receive approval until the plan has been submitted to and approved by the Secretary of Administration (Secretary) as to state construction standards, and at minimum as to the fire safety of the proposed building. Provides that any plan submitted to the Commissioner and approved before the statute's effective date (October 1, 2009) is deemed to have been jointly approved by the Commissioner and the Secretary. Directs the Secretary to provide quarterly written reports on plans reviewed and approved under this section to the Commissioner in a form approved by the Commissioner and the Secretary. Provides that nothing in this section is to be construed as abrogating the authority of the Commissioner under GS 58-31-40 or any other provision of law.

Amends GS 143-139 to add new subsection (e) to designate the Department of Administration (Department) as the state agency having general supervision, through the Office of State Construction, of the administration and enforcement of all sections of the North Carolina State Building Code except those sections of the Code specifically allocated to other agencies by subsections (c) and (d) of this statute. Identifies the Department as the only agency with the authority to seek remedies pursuant to this statute with respect to state buildings. Also provides that nothing in this section is to be construed as abrogating the authority of the Commissioner under GS 58-31-40 or any other provision of law. Makes a conforming change to GS 143-139(b).

Amends GS 143-341(3)d. to include among the powers and duties of the Department, to act as the appropriate official inspector or inspection department for purposes of GS 143-143.2.

Directs the North Carolina Code Officials Qualification Board (Qualification Board), in consultation with the Departments of Administration and Insurance, to develop an expedited course of training on State Building Code regulations (Code) and Code-enforcement administration to facilitate persons obtaining Level III standard certification. Requires the Qualification Board to issue a Level III standard certificate for the exercise of duties under GS 143-341(3) to any person who (1) was employed by the Department on the day that this act became effective; (2) successfully completes a course, developed under this section, relating to the Code regulations and Code-enforcement administration; (3) successfully completes all examinations required by the Qualification Board; and (4) has a valid license to practice as an architect, registered under GS Chapter 83A or a professional engineer, registered under GS Chapter 89C.

Directs the Department of Insurance to transfer four building code review positions to the Department of Administration. Provides that these positions are to be selected by the Department of Administration and used to assist the Department in administering GS 143-341(3) and GS 143-139(e). Directs the Insurance Regulatory Fund to support the positions at 100% of the full budgeted amount for each position from fiscal year 2009-10 through fiscal year 2011-12. Directs the State Treasurer, as custodian of the State Property Fire Insurance Fund (SPFIF), to support the positions out of SPFIF, beginning with the 2012-13 fiscal year.

Establishes four new Engineering/Architectural Technician-Advanced positions within the Department, at a budgeted amount of \$69,862 per position, to assist the Department in administering GS 143-341(3) and GS 143-139(e). Directs the Insurance Regulatory Fund to support the positions from fiscal year 2009-10 through fiscal year 2011-12. Directs the State Treasurer, as custodian of the State SPFIF, to support the positions out of SPFIF, beginning with the 2012-13 fiscal year.

Amends Section 2 of SL 2007-169, as amended, to provide that notwithstanding GS 143-52.1 and SL 2006-203, the members of the Advisory Budget Commission in office on June 30, 2007, continue to be eligible for appointment to the Board of Awards (Board) through June 30, 2011 (was, June 30, 2009) and vacancies may be filled by the appointing authority. Directs the Secretary to appoint members to the Board from among those eligible through June 30, 2011 (was, June 30, 2009). Effective June 30, 2009.

Except as otherwise indicated, effective October 1, 2009.

August 6, 2009

S 425. STREAMLINE PLAN REV. & INSPECTION/STATE BLDGS. Filed 3/4/09. House amendment makes the following changes to 4th edition. Provides that four new Engineering/Architectural Technician-Advanced positions are to be supported by the Insurance Regulatory Fund (was, supported by the Insurance Regulatory Fund from 2009-10 fiscal year through 2011-12 fiscal year, and beginning with fiscal year 2012-13, directed the State Treasurer to support the positions out of the State Property Fire Insurance Fund).

September 1, 2009

SL 2009-474 (S 425). STREAMLINE PLAN REVIEW AND INSPECTION/STATE BUILDINGS. *AN ACT TO STREAMLINE THE PLAN REVIEW AND INSPECTION PROCESS FOR STATE BUILDINGS BY TRANSFERRING THE AUTHORITY FOR BUILDING CODE ENFORCEMENT WITH RESPECT TO STATE BUILDINGS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY TRANSFERRING FOUR CODE ENFORCEMENT POSITIONS FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF ADMINISTRATION; BY CREATING FOUR CODE ENFORCEMENT POSITIONS IN THE DEPARTMENT OF ADMINISTRATION; AND TO CONTINUE THE SECRETARY OF ADMINISTRATION'S AUTHORITY TO APPOINT MEMBERS TO THE BOARD OF AWARDS.* Summarized in *Daily Bulletin* 8/6/09. Enacted August 26, 2009. Sections 1–8 are effective October 1, 2009. Section 9 is effective June 30, 2009. The remainder is effective August 26, 2009.