ADOPTED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1114

AMENDMENT NO. A1
(to be filled in by Principal Clerk)

H1114-AMU-55 [v.4]



Amends Title [NO]
Second Edition

Date _____,2026

Representative Davis

moves to amend the bill on page 30, lines 27-28, by inserting between the lines the following:

"**SECTION 83.1.(a)** G.S. 90-85.3 reads as rewritten:

"**§ 90-85.3. Definitions.**

The following definitions apply in this Article:

(1)~~(a)~~ ~~"Administer" means the~~ Administer. – The direct application of a drug to the body of a patient by injection, inhalation, ~~ingestion~~ ingestion, or other means.

(2)~~(b)~~ ~~"Board" means the~~ Board. – The North Carolina Board of Pharmacy.

(3)~~(b1)~~ ~~"Certified pharmacy technician" means a~~ Certified pharmacy technician. – A pharmacy technician who (i) has passed a nationally recognized pharmacy technician certification board examination, or its equivalent, that has been approved by the Board and (ii) obtains and maintains certification from a nationally recognized pharmacy technician certification board that has been approved by the Board.

(4)~~(b2)~~ ~~"CLIA-waived test" means a~~ CLIA-waived test. – A laboratory test authorized by the United States Food and Drug Administration and waived under the Clinical Laboratory Improvement Amendments of 1988.

(5)~~(b3)~~ ~~"Clinical pharmacist practitioner" means a~~ Clinical pharmacist practitioner. – A licensed pharmacist who meets the guidelines and criteria for ~~such title~~ that title, as established by the joint subcommittee of the North Carolina Medical Board and the North Carolina Board of ~~Pharmacy~~Pharmacy, and who is authorized to perform medical acts, tasks, and functions for drug therapy, disease, or population health management ~~agreements~~ with physicians in accordance with ~~the provisions of~~ G.S. 90-18.4.

(6)~~(c)~~ ~~"Compounding" means taking~~ Compounding. – Taking two or more ingredients and combining them into a dosage form of a drug, exclusive of compounding by a drug manufacturer, distributor, or packer.

(7)~~(d)~~ ~~"Deliver" means the~~ Deliver. – The actual, ~~constructive~~ constructive, or attempted transfer of a drug, a device, or medical equipment from one person to another.

(8)~~(e)~~ ~~"Device" means an~~ Device. – An instrument, apparatus, implement, machine, contrivance, implant, in vitro ~~reagent~~ reagent, or other similar or related ~~article~~

article, including any component part or accessory, whose label or labeling bears the statement "Caution: federal law requires dispensing by or on the order of a physician." The term does not include:

a.~~(1)~~ Devices used in the normal course of treating patients by health care facilities and agencies licensed under Chapter 131E or Article 2 of Chapter 122C of the General ~~Statutes;~~Statutes.

b.~~(2)~~ Devices used or provided in the treatment of patients by medical doctors, dentists, physical therapists, occupational therapists, speech pathologists, optometrists, chiropractors, podiatrists, and nurses licensed under Chapter 90 of the General Statutes, ~~provided~~ so long as they do not dispense devices used to administer or dispense drugs.

(9)~~(f)~~ ~~"Dispense" means preparing~~ Dispense. – Preparing and packaging a prescription drug or device in a container and labeling the container with information required by State and federal law. ~~Filling~~ The term includes filling or refilling drug containers with prescription drugs for subsequent use by a ~~patient is "dispensing". Providing~~ patient. The term also includes providing quantities of unit dose prescription drugs for subsequent ~~administration is "dispensing".~~administration.

(10)~~(g)~~ ~~"Drug" means:~~Drug. – An article that meets any of the following descriptions:

a.~~(1)~~ ~~Any article recognized~~ Is recognized as a drug in the United States Pharmacopeia, or in any other drug compendium or any supplement ~~thereto,~~ to it, or an article recognized as a drug by the United States Food and Drug ~~Administration;~~ Administration.

b.~~(2)~~ ~~Any article, other~~ Other than food or devices, is intended for use in the diagnosis, cure, mitigation, ~~treatment~~ treatment, or prevention of disease in man or other ~~animals;~~ animals.

c.~~(3)~~ ~~Any article, other~~ Other than food or devices, is intended to affect the structure or any function of the body of man or other ~~animals; and~~animals.

d.~~(4)~~ ~~Any article intended~~ Is intended for use as a component of ~~any articles~~ an article specified in ~~clause (1), (2) or (3) of this subsection.~~sub-subdivisions a., b., or c. of this subdivision.

(11)~~(h)~~ ~~"Emancipated minor" means any person~~ Emancipated minor. – An individual under the age of 18 who is or has been ~~married or~~ married, who is or has been a ~~parent; or whose parents or guardians have surrendered their rights to the minor's services and earnings as well as their right to custody and control of the minor's person;~~ parent, or who has been emancipated by ~~an appropriate~~ a court order.

(12)~~(i)~~ ~~"Health care provider" means any~~ Health care provider. – A licensed health care professional; ~~any~~ an agent or employee of ~~any~~ a health care institution, health care insurer, or health care professional school; or a member of ~~any~~ an allied health profession.

(13)~~(i1)~~ ~~"Immunizing pharmacist" means a~~ Immunizing pharmacist. – A licensed pharmacist who meets all of the following qualifications:

a.~~(1)~~ Holds a current provider level cardiopulmonary resuscitation certification issued by the American Heart Association or the American Red Cross, or an equivalent certification.

b.~~(2)~~ Has successfully completed a certificate program in vaccine administration accredited by the Centers for Disease Control and Prevention, the Accreditation Council for Pharmacy Education, or a similar health authority or professional body approved by the Board.

c.~~(3)~~ Maintains documentation of three hours of continuing education every two years, designed to maintain competency in the disease states, drugs, and vaccine administration.

d.~~(4)~~ Has successfully completed training approved by the Division of Public Health's Immunization Branch for participation in the North Carolina Immunization Registry.

e.~~(5)~~ Has notified the North Carolina Board of Pharmacy and the North Carolina Medical Board of immunizing pharmacist status.

f.~~(6)~~ Administers vaccines, long-acting injectable medications, or immunizations in accordance with ~~G.S. 90-18.15B.~~ G.S. 90-85.15B.

(14)~~(j)~~ ~~"Label" means a~~ Label. – A display of written, ~~printed~~ printed, or graphic matter ~~upon~~ on the immediate or outside container of ~~any~~ a drug.

(15)~~(k)~~ ~~"Labeling" means preparing~~ Labeling. – Preparing and affixing a label to ~~any~~ a drug container, exclusive of labeling by a manufacturer, ~~packer~~ packer, or distributor of a nonprescription drug or a commercially packaged prescription drug or device.

(16)~~(l)~~ ~~"License" means a~~ License. – A license to practice pharmacy including a renewal license issued by the Board.

(17)~~(l1)~~ ~~"Medical equipment" means any~~ Medical equipment. – Any of the following items that are intended for use by the consumer in the consumer's place of residence:

a.~~(1)~~ A device.

b.~~(2)~~ Ambulation assistance equipment.

c.~~(3)~~ Mobility equipment.

d.~~(4)~~ Rehabilitation seating.

e.~~(5)~~ Oxygen and respiratory care equipment.

f.~~(6)~~ Rehabilitation environmental control equipment.

g.~~(7)~~ Diagnostic equipment.

h.~~(8)~~ A bed prescribed by a physician to treat or alleviate a medical condition.

The term ~~"medical equipment"~~ does not include (i) medical equipment used or dispensed in the normal course of treating patients by or on behalf of home care agencies, hospitals, and nursing facilities licensed under Chapter 131E of the General Statutes or hospitals or agencies licensed under Article 2 of Chapter 122C

of the General Statutes; (ii) medical equipment used or dispensed by professionals licensed under Chapters 90 or Chapter 93D of the General Statutes, ~~provided~~ so long as the professional is practicing within the scope of that professional's practice act; (iii) upper and lower extremity prosthetics and related orthotics; or (iv) canes, crutches, walkers, and bathtub grab bars.

(18) ~~(l2) "Mobile pharmacy" means a~~ Mobile pharmacy. – A pharmacy that meets all of the following conditions:

a. ~~(1)~~ Is either self-propelled or moveable by another vehicle that is self-propelled.

b. ~~(2)~~ Is operated by a nonprofit corporation.

c. ~~(3)~~ Dispenses prescription drugs at no charge or at a reduced charge to persons whose family income is less than two hundred percent (200%) of the federal poverty level and who do not receive reimbursement for the cost of the dispensed prescription drugs from Medicare, Medicaid, a private insurance company, or a governmental unit.

(19) ~~(m) "Permit" means a~~ Permit. – A permit to operate a pharmacy, deliver medical equipment, or dispense devices, including a renewal license issued by the Board.

(20) ~~(n) "Person" means an~~ Person. – An individual, corporation, partnership, association, unit of government, or other legal entity.

(21) ~~(o) "Person in loco parentis" means the~~ Person in loco parentis. – The person who has assumed parental responsibilities for a child.

(22) ~~(p) "Pharmacist" means a~~ Pharmacist. – A person licensed under this Article to practice pharmacy.

(23) ~~(q) "Pharmacy" means any~~ Pharmacy. – A place where prescription drugs are dispensed or compounded.

(24) ~~(q1) "Pharmacy personnel" means pharmacists~~ Pharmacy personnel. – Pharmacists and pharmacy technicians.

(25) ~~(q2) "Pharmacy technician" means a~~ Pharmacy technician. – A person who may, under the supervision of a pharmacist, perform technical functions to assist the pharmacist in preparing and dispensing prescription medications.

(26) ~~(r) "Practice of pharmacy" is as~~ Practice of pharmacy. – As specified in G.S. 90-85.3A.

(27) ~~(s) "Prescription drug" means a~~ Prescription drug. – A drug that under federal law is required, prior to being dispensed or delivered, to be labeled with the following statement: "Caution: Federal law prohibits dispensing without prescription."

(28) ~~(t) "Prescription order" means a~~ Prescription order. – A written or verbal order for a prescription drug, prescription device, or pharmaceutical service from a person authorized by law to prescribe ~~such~~ the drug, device, or service. ~~A prescription order~~ The term includes an order entered in a chart or other medical record of a patient.

(29)~~(u)~~ ~~"Unit dose medication system" means a~~ Unit dose medication system. – A system in which each dose of medication is individually packaged in a properly sealed and properly labeled container."

**SECTION 83.1.(b)** G.S. 58-56A-1 reads as rewritten:

"**§ 58-56A-1. Definitions.**

The following definitions apply in this Article:

(1) 340B contract pharmacy. – ~~Any~~ A pharmacy under contract with a 340B covered entity to dispense drugs on behalf of the 340B covered entity.

(2) 340B covered entity. – ~~Any~~ An entity defined in 42 U.S.C. § 256b(a)(4)(A), 42 U.S.C. § 256b(a)(4)(C), 42 U.S.C. § 256b(a)(4)(D), 42 U.S.C. § 256b(a)(4)(E), 42 U.S.C. § 256b(a)(4)(I), 42 U.S.C. § 256b(a)(4)(J), 42 U.S.C. § 256b(a)(4)(K), 42 U.S.C. § 256b(a)(4)(N), or 42 U.S.C. § 256b(a)(4)(O).

…

(5) Health benefit plan. – ~~As defined~~ Defined in G.S. 58-3-167.

(5a) High-deductible health plan. – ~~As defined~~ Defined under the Internal Revenue Code.

(6) Insured. – An individual covered by a health benefit plan.

(7) Insurer. – ~~As defined~~ Defined in G.S. 58-3-167.

…

(13) Pharmacy. – ~~As defined in G.S. 90-85.3(q).~~ Defined in G.S. 90-85.3.

(14) Pharmacy benefits manager. – An entity ~~who~~ that contracts with a pharmacy on behalf of an insurer or third-party administrator to administer or manage prescription drug benefits to perform any of the following functions:

…

(16a) Section 223. – Section 223 of the Internal Revenue ~~Code or its equivalent.~~ Code.

…

(17) Third-party administrator. – ~~As defined~~ Defined in G.S. 58-56-2."

**SECTION 83.1.(c)** G.S. 90-85.44 reads as rewritten:

"**§ 90-85.44. Drug, Supplies, and Medical Device Repository Program established.**

(a) Definitions. – As used in this section unless the context clearly requires otherwise, the following definitions apply:

(1) Board. – ~~As defined~~ Defined in G.S. 90-85.3.

(2) Dispense. – ~~As defined~~ Defined in G.S. 90-85.3.

(3) Drug. – ~~As defined~~ Defined in G.S. 90-85.3.

…

(7) Medical device. – A device as defined in ~~G.S. 90-85.3(e).~~ G.S. 90-85.3.

(8) Pharmacist. – ~~As defined~~ Defined in G.S. 90-85.3.

(9) Pharmacy. – ~~As defined~~ Defined in G.S. 90-85.3.

…

(11) Program. – The Drug, Supplies, and Medical Device Repository Program established under this ~~act.~~ section.

(12) Supplies. – Supplies associated with or necessary for the administration of a drug.

…

(c) Requirements of Participating Pharmacists or Free Clinics. – A pharmacist may accept and dispense drugs, supplies, and medical devices donated to the Program to eligible patients if all of the following requirements are met:

(1) The drug, ~~supplies,~~ supply, or medical device is in the original, unopened, sealed, and tamper-evident packaging or, if packaged in single-unit doses, the single-unit dose packaging is unopened.

(2) The pharmacist has determined that the drug, ~~supplies,~~ supply, or medical device is safe for redistribution.

(3) The drug has not reached its expiration date.

(4) The drug, ~~supplies,~~ supply, or medical device is not adulterated or misbranded, as determined by a pharmacist.

(5) The drug, ~~supplies,~~ supply, or medical device is prescribed by a practitioner for use by an eligible patient and is dispensed by a pharmacist.

…

(h) Immunity. – The following limited immunities apply under the Program:

(1) Unless a pharmaceutical manufacturer exercises bad faith, the manufacturer is not subject to criminal or civil liability for injury, death, or loss to a person or to property for matters related to the donation, acceptance, or dispensing of a drug or medical device manufactured by the manufacturer that is donated by ~~any~~ a person under the Program, including liability for failure to transfer or communicate product or consumer information or the expiration date of the donated drug or medical device.

(2) The following individuals or entities are immune from civil liability for an act or omission that causes injury to or the death of an individual to whom the drug, ~~supplies,~~ supply, or medical device is dispensed under the Program, and no disciplinary action may be taken against a pharmacist or practitioner as long as the drug, ~~supplies,~~ supply, or medical device is donated in accordance with the requirements of this section:

…."

**SECTION 83.1.(d)** G.S. 106-140.1 reads as rewritten:

"**§ 106-140.1. Registration of producers of prescription drugs and devices.**

(a) ~~On or before December 31 of each year, every person doing business in North Carolina and operating as a wholesaler, manufacturer, outsourcing facility, or repackager, as those terms are defined in subsection (j) of this section, shall register with the Commissioner his name and business location(s) in North Carolina. If said person has no business locations in North Carolina, he shall register his name and location of his corporate offices.~~ A person engaged in business as a wholesale distributor, manufacturer, outsourcing facility, or repackager shall register with the Commissioner immediately upon engaging in business in this State and annually by the end of each calendar year. The registration shall include the person's name, each business location in this State, and, if the person has no business location in this State, the location of the

person's principal place of business. As used in this subsection, "name" means the name of the business establishment if the person is a business establishment.

~~(b) Every person, upon first operating as a wholesaler, manufacturer, outsourcing facility, or repackager in North Carolina shall immediately register with the Commissioner his name, place of business, and such establishment. If said person has no business locations in North Carolina, he shall register his name and location of his corporate offices.~~

(c) Every person ~~duly~~ registered in accordance with ~~subsections (a) and (b)~~ subsection (a) of this section shall register with the Commissioner any additional establishment that ~~he~~ the person owns or operates in ~~the State of North Carolina~~ this State prior to doing business as a manufacturer, ~~wholesaler,~~ wholesale distributor, outsourcing facility, or repackager.

(d) The Commissioner may assign a registration number to ~~any~~ a person or ~~any~~ an establishment registered in accordance with this section.

(e) The Commissioner shall make a registration filed pursuant to this section available for inspection ~~to any person so requesting any registration filed pursuant to this section.~~ by a person that requests the registration.

(f) The following classes of people are exempt from the registration requirements of this section:

(1) Pharmacists as defined in ~~G.S. 90-85.3(q)~~ G.S. 90-85.3 holding a ~~valid permit as defined in G.S. 90-85.3(m).~~ pharmacy permit.

…

(4) Other classes of persons the Commissioner may by rule exempt from the application of this section upon a finding that registration by these classes of persons ~~in accordance with this section~~ is not necessary for the protection of the public health.

(5) Wholesale distributors of prescription drugs licensed under G.S. 106-145.3.

(g) Every establishment in the State ~~of North Carolina~~ registered with the Commissioner pursuant to this section ~~shall be~~ is subject to inspection pursuant to G.S. 106-140.

(h) The Commissioner shall adopt rules to implement the registration requirements of this section. ~~These rules shall provide for an~~ An annual registration fee of one thousand dollars ($1,000) ~~for companies operating as~~ applies to manufacturers, outsourcing facilities, ~~or repackagers~~ and repackagers, and an annual registration fee of seven hundred dollars ($700.00) ~~for companies operating as wholesalers.~~ applies to wholesale distributors. The Department of Agriculture and Consumer Services shall use these funds for the implementation of ~~the North Carolina Food, Drug and Cosmetic Act.~~ this Article.

~~(i) For the purposes of this act, name means the name of the partnership if a partnership and the name of the corporation if a corporation.~~

(j) ~~As used~~ The following definitions apply in this section:

(1) ~~The term "manufacturer" means a~~ Manufacturer. – A person ~~who~~ that prepares, derives, or produces a prescription drug. Pharmacists are specifically excluded from this definition if they are acting in the course of their professional practice as defined in Chapter 90 and rules adopted pursuant to it.

(1a) ~~The term "outsourcing facility" means a~~ Outsourcing facility. – A manufacturer at a single geographic location or address that is engaged in the compounding of sterile drugs, has elected to register as an outsourcing facility with the Food and Drug Administration, and complies with the requirements as provided in 21 U.S.C. § 353b. Exemptions provided by 21 U.S.C. § 353b(a) with respect to labeling, new drug registration, and distribution supply chain requirements ~~shall~~ also apply to compounded drugs distributed in ~~North Carolina~~ this State by an outsourcing facility.

(2) ~~The term "prescription drug" means a~~ Prescription drug. – A drug that under federal law is required, prior to being dispensed or delivered, to be labeled with the following statement: ~~"Caution: Federal law prohibits dispensing without a prescription."~~ "Rx Only."

(3) ~~The term "repackager" means a~~ Repackager. – A person ~~who~~ that repacks, relabels, or manipulates a prescription drug ~~which~~ that was in a unit packaged and sealed by a manufacturer. Pharmacists are specifically exempted from this definition if they are acting in the course of their professional practice as defined in Chapter 90 and rules adopted pursuant to it.

(4) ~~The term "wholesaler" means a~~ Wholesale distributor. – A person acting as a jobber, wholesale merchant, salvager, or broker, or ~~agent thereof, who~~ the person's agent, that sells or distributes for resale a prescription drug. Pharmacists are specifically exempted from this definition if they are acting in the course of their professional practice as defined in Chapter 90 and rules adopted pursuant to it."

**SECTION 83.2.** G.S. 95-4 reads as rewritten:

"**§ 95-4. ~~Authority, powers~~ Powers and duties of Commissioner.**

The Commissioner of Labor ~~shall be~~ is the executive and administrative head of the Department of Labor. In addition to the other powers and duties conferred upon the Commissioner ~~of Labor~~ by this ~~Article,~~ Chapter, the ~~said~~ Commissioner ~~shall have authority and be charged with the duty:~~ has the following powers and duties:

(1) To appoint and assign to duty ~~such clerks, stenographers, and other~~ employees in the various divisions of the Department, as may be necessary to perform the work of the Department, and to fix their ~~compensation, subject to the approval of the Department of Administration. The Commissioner of Labor may assign or transfer stenographers, or clerks, from one division to another, or inspectors from one division to another, or combine the clerical force of two or more divisions, or require from one division assistance in the work of another division, as he may consider necessary and advisable: Provided, however, the provisions of this subdivision shall not apply to the Industrial Commission, or the Division of Workers' Compensation.~~ compensation.

(2) To make ~~such~~ rules ~~and regulations with reference to the work of the Department and of the several divisions thereof as shall be~~ necessary to ~~properly~~ carry out the duties ~~imposed upon the said Commissioner and the work of the Department.~~ of the Department.

…

(4) To ~~secure the enforcement of~~ enforce all laws relating to the inspection of factories, mercantile establishments, mills, workshops, public eating places, and commercial institutions in the ~~State. To aid him in the work, he shall have power to~~ State and to prosecute any violation of these laws. The Commissioner may appoint ~~factory~~ inspectors and other ~~assistants. The duties of such inspectors and other assistants shall be prescribed by the Commissioner of Labor.~~ employees to assist with enforcing these laws.

(5) To visit and inspect, personally or through ~~his assistants and factory inspectors,~~ inspectors or other employees, at reasonable hours, ~~as often as practicable, the factories, mercantile establishments, mills, workshops, public eating places, and commercial institutions in the State, where goods, wares, or merchandise are manufactured, purchased, or sold, at wholesale or retail.~~ any entity listed in subdivision (4) of this section.

(6) To ~~enforce the provisions of this section and to prosecute~~ refer to the appropriate district attorney for prosecution all criminal violations of laws relating to the inspection of ~~factories, mercantile establishments, mills, workshops, public eating houses, and commercial institutions in this State before any court of competent jurisdiction. It shall be the duty of the district attorney of the proper district upon the request of the Commissioner of Labor, or any of his assistants or deputies, to prosecute any violation of a law, which it is made the duty of the said Commissioner of Labor to enforce.~~ any entity listed in subdivision (4) of this section.

(7) Notwithstanding G.S. 143C-6-9 and G.S. 114-2.3, to retain, designate, employ, expend available funds for, and otherwise engage private counsel to provide litigation services and represent the Department in any matter the Commissioner deems necessary to represent the interests of the Department and any of its ~~component units, bureaus, officers, or~~ employees. ~~For the purposes of~~ In this subdivision, the terms "private counsel" and "litigation services" are as defined in G.S. 147-17."";

and moves to amend the bill on page 32, lines 30-31, by inserting between the lines the following:

"**SECTION 85.1.(a)** G.S. 105-278.6A reads as rewritten:

"**§ 105-278.6A. Qualified retirement facility.**

(a) Classification. – Buildings, the land they actually occupy, additional adjacent land reasonably necessary for the convenient use of the buildings, and personal property owned by a qualified retirement facility and used in the operation of that facility are designated a special class of property under Section 2(2) of Article V of the North Carolina Constitution and are excluded from taxation to the extent provided in this section.

(b) Definitions. – The following definitions apply in section:

…

(3) Financial reporting period. – The calendar year or tax year ending ~~prior to~~ before the date the retirement facility applies for an exclusion under this section.

…

(5) Retirement facility. – A community that meets all of the following conditions:

a. It is licensed under Article ~~64~~ 64A of Chapter 58 of the General Statutes.

b. It is designed for elderly residents.

c. It includes independent living units for elderly residents.

d. It includes a skilled nursing facility or an adult care facility.

…

(c) Total Exclusion. – A retirement facility qualifies for total exclusion under this section if it meets all of the following conditions:

(1) It is exempt from tax under Article 4 of this Chapter and private shareholders do not benefit from its operations.

(2) All of its revenues, less operating and capital expenses, are applied to providing uncompensated goods and services to the elderly and to the local ~~community,~~ community or are applied to an endowment or a reserve for these purposes.

(3) Its charter provides ~~that~~ that, in the event of dissolution, its assets will revert or be conveyed to an entity that is organized exclusively for charitable, educational, scientific, or religious ~~purposes,~~ purposes and is an exempt organization under section 501(c)(3) of the Code.

…."

**SECTION 85.1.(b)** The amendment to G.S. 105-278.6A(b)(5)a. by subsection (a) of this section is retroactively effective December 1, 2025. The remainder of this section is effective when it becomes law.";

and moves to amend the bill on page 46, lines 9-10, by inserting between the lines the following:

"**SECTION 87.1.(a)** G.S. 143-52.1(e) reads as rewritten:

"(e) Reporting. – The State Procurement Officer shall provide a monthly report of all contract awards greater than the benchmark established under G.S. 143-53.1 approved through the Division of Purchase and Contract to ~~the Cochairs of~~ the Joint Legislative ~~Committee~~ Commission on Governmental Operations. The report shall include the amount of the award, the award recipient, the using agency, and a short description of the nature of the award."

**SECTION 87.1.(b)** G.S. 143-64.17G reads as rewritten:

"**§ 143-64.17G. Report on guaranteed energy savings contracts entered into by local governmental units.**

A local governmental unit that enters into a guaranteed energy savings contract must report the contract and the terms of the contract to the Local Government Commission and the State Energy Office of the Department of Environmental Quality. The Commission shall compile the information and report it biennially to the Joint Legislative Commission on Governmental

Operations. In compiling the information, the Local Government Commission shall include information on the energy savings expected to be realized from a contract and, with the assistance of the Office of State Construction and the State Energy Office, shall evaluate whether expected savings have in fact been realized."

**SECTION 87.1.(c)** G.S. 143-128.3 reads as rewritten:

"**§ 143-128.3. Minority business participation administration.**

(a) All public entities subject to G.S. 143-128.2 shall report to the Department of Administration, Office of Historically Underutilized Business, the following with respect to each building project:

(1) The verifiable percentage goal.

(2) The type and total dollar value of the project, minority business utilization by minority business category, trade, total dollar value of contracts awarded to each minority group for each project, the applicable good faith effort guidelines or rules used to recruit minority business participation, and good faith documentation accepted by the public entity from the successful bidder.

(3) The utilization of minority businesses under the various construction methods under G.S. 143-128(a1).

The reports shall be in the format and contain the data prescribed by the Secretary of Administration. The University of North Carolina and the State Board of Community Colleges shall report quarterly and all other public entities shall report semiannually. The Secretary of the Department of Administration shall make reports every six months to the Joint Legislative ~~Committee~~ Commission on Governmental Operations and the Joint Legislative Oversight Committee on General Government on information reported pursuant to this subsection.

…

(g) Annually, on or before September 1, ~~beginning September 1, 2022,~~ the Secretary shall report findings and recommendations, as required under this section, to the Joint Legislative ~~Committee~~ Commission on Governmental Operations and the Joint Legislative Oversight Committee on General Government and shall post the report findings and recommendations on the Department's website."

**SECTION 87.1.(d)** G.S. 143-129(i) reads as rewritten:

"(i) Procedure for Letting of Public Contracts. – The Department of Transportation ("DOT") and the Department of Administration ("DOA") shall monitor all projects in those agencies that are let without a performance or payment bond to determine the number of defaults on those projects, the cost to complete each defaulted project, and each project's contract price. ~~Beginning March 1, 2011, and annually thereafter,~~ By March 1 of each year, DOT and DOA shall report this information to the Joint Legislative ~~Committee~~ Commission on Governmental Operations."

**SECTION 87.1.(e)** G.S. 143B-10(b) reads as rewritten:

"(b) Reorganization by Department Heads. – With the approval of the Governor, each head of a principal State department may establish or abolish within ~~his~~ the department any division. Each head of a principal State department may establish or abolish within ~~his~~ the department any other administrative unit to achieve economy and efficiency and in accordance with sound administrative principles, practices, and procedures except as otherwise provided by

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Principal Clerk)



law. When ~~any such~~ an act of the head of the principal State department affects existing ~~law~~ law, ~~the provisions of~~ Article III, Sec. 5(10) of the Constitution of North Carolina shall be followed.

Each ~~Department Head~~ department head shall report all reorganizations under this subsection ~~to the President of the Senate, the Speaker of the House of Representatives, the Chairmen of the Appropriations Committees in the Senate and the House of Representatives, and the Fiscal Research Division of the Legislative Services Office, within 30 days after the reorganization if the General Assembly is in session, otherwise to the Joint Legislative Committee on Governmental Operations and the Fiscal Research Division of the Legislative Services Office, within 30 days after the reorganization.~~ in the same manner as a Governor's report required under G.S. 143B-12(b). The report shall include the rationale for the reorganization and any increased efficiency in operations expected from the reorganization."

**SECTION 87.1.(f)** G.S. 143B-12(b) reads as rewritten:

"(b) The Governor shall report all transfers of departmental functions under this section to the President of the Senate, the Speaker of the House of Representatives, the ~~Chairmen~~ Chairs of the Appropriations Committees in the Senate and the House of Representatives, and the Fiscal Research Division of the Legislative Services Office, within 30 days after the transfer if the General Assembly is in session, otherwise to the Joint Legislative ~~Committee~~ Commission on Governmental Operations and the Fiscal Research Division of the Legislative Services Office, within 30 days after the transfer. The report shall include the rationale for the transfer and the increased efficiency in operations expected from the transfer."".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures and vote information, is available in the House Principal Clerk's Office**