

## **2005-2006 Legislation with Effective Dates from September 1, 2006 through January 1, 2007**

Following is a list of public law provisions enacted in 2005-2006 with effective dates from September 1, 2006 through January 1, 2007.

### **2005-2006 Legislation 'Effective September 1, 2006'**

**The following public law provisions were enacted during the 2005-2006 Session with an effective date of September 1, 2006.**

**[S.L. 2006-160](#) (HB 2880) No Prayer for Judgment/Bus Stop Arm Violation.**  
AN ACT TO PREVENT A PERSON WHO IS GUILTY OF PASSING A STOPPED SCHOOL BUS FROM RECEIVING A PRAYER FOR JUDGMENT CONTINUED. [Entire Act]

**[S.L. 2006-207](#) (SB 1295) Junk Faxes.**  
AN ACT TO INCREASE PROTECTIONS FOR CONSUMERS WHO RECEIVE UNSOLICITED FACSIMILES. [Entire Act]

**[S.L. 2006-214](#) (HB 2164) Amend Sanitary District Authority.**  
AN ACT TO AMEND THE AUTHORITY OF SANITARY DISTRICTS TO REQUIRE CONNECTIONS TO WATER AND SEWER SYSTEMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. [Entire Act]

**[S.L. 2006-217](#) (HB 2147) Use of Existing Plans for State Construction.**  
AN ACT TO REQUIRE STATE AGENCIES TO USE EXISTING PLANS FOR STATE CONSTRUCTION PROJECTS WHERE FEASIBLE. [Entire Act]

**[S.L. 2006-250](#) ( HB 1413) Enhance Local Gov't Adm. Of Env. Prgms.**  
AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR LOCAL GOVERNMENTS THAT ADMINISTER APPROVED LOCAL ENVIRONMENTAL PROGRAMS AND TO PROVIDE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO REQUEST THE AUTHORITY TO ADMINISTER ALL OR A PORTION OF CERTAIN ENVIRONMENTAL PROGRAMS AND TO ALLOW LOCAL GOVERNMENT EMPLOYEES TO STAND IN, ON, OR NEAR A PUBLIC STREET OR HIGHWAY OWNED, LEASED, OR CONTROLLED BY THE STATE TO SOLICIT CHARITABLE CONTRIBUTIONS SO LONG AS THE PERSON SOLICITING IS AN EMPLOYEE OR AGENT OF THE LOCAL GOVERNMENT AND MEETS CERTAIN RESTRICTIONS AND GUIDELINES. [See Sections 1-6 & 8]

### **2005-2006 Legislation 'Effective October 1, 2006'**

**The following public law provisions were enacted during the 2005-2006 Session with an effective date of October 1, 2006.**

**S.L. 2005-282 (SB 189) All-Terrain Vehicle Regulation.**

AN ACT TO PROHIBIT THE OPERATION OF ALL-TERRAIN VEHICLES BY PERSONS LESS THAN EIGHT YEARS OLD, TO RESTRICT THE OPERATION OF ALL-TERRAIN VEHICLES BY PERSONS EIGHT TO FIFTEEN YEARS OLD BASED ON ENGINE CAPACITY, TO PROHIBIT SELLERS FROM KNOWINGLY SELLING ALL-TERRAIN VEHICLES FOR USE BY PERSONS LESS THAN EIGHT YEARS OLD OR FOR USE BY PERSONS EIGHT TO FIFTEEN YEARS OLD IN VIOLATION OF THE ENGINE CAPACITY LIMITATIONS, TO REQUIRE SAFETY TRAINING FOR ATV OPERATORS, AND TO CREATE INFRACTIONS FOR VIOLATIONS. [Act became effective 12-1-05, but see Section 2 for Safety Training and Certificate requirement effective 10-1-06]

**S.L. 2005-414 (SB 1048) Identity Theft Protection Act of 2005**

AN ACT ENACTING THE IDENTITY THEFT PROTECTION ACT OF 2005. [See Sections 1 & 11]

**S.L. 2006-6 (SB 912) Phase Out Video Poker/Except By Compact.**

AN ACT TO PHASE OUT THE POSSESSION OR OPERATION OF VIDEO GAMING MACHINES BY LIMITING THE NUMBER OF VIDEO GAMING MACHINES THAT MAY BE POSSESSED OR OPERATED TO TWO PER LOCATION ON OCTOBER 1, 2006, AND TO ONE PER LOCATION ON MARCH 1, 2007, AND TO PROHIBIT POSSESSION OR OPERATION OF VIDEO GAMING MACHINES AS OF JULY 1, 2007, EXCEPT PURSUANT TO A TRIBAL-STATE COMPACT. [See Sections 1 & 12]

**S.L. 2006-59 (HB 1432) Notary Public Corrections.**

AN ACT TO MAKE CORRECTIONS AND OTHER AMENDMENTS TO THE NOTARY PUBLIC ACT, AND TO MAKE OTHER CONFORMING CHANGES. [Entire act, except as otherwise provided. See Section 33]

**S.L. 2006-66 (SB 1741) Modify Appropriations Act of 2005.**

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2005, TO INCREASE TEACHER AND STATE EMPLOYEE PAY, TO REDUCE THE SALES TAX RATE AND THE INCOME TAX RATE APPLICABLE TO MOST SMALL BUSINESSES, TO CAP THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUEL TAX RATE AT ITS CURRENT RATE, TO ENACT OTHER TAX REDUCTIONS, AND TO PROVIDE FOR THE FINANCING OF HIGHER EDUCATION FACILITIES AND PSYCHIATRIC HOSPITALS AND OTHER CAPITAL PROJECTS. [See Section 24.17]

**S.L. 2006-96 (SB 1991) District 13 County Resident Judgeships.**

AN ACT TO PROVIDE BALANCE AMONG THE COUNTIES IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT 13 AND TO DIVIDE SUPERIOR COURT DISTRICT 13. [See Section 5]

**S.L. 2006-105 (SB 615) Insurance Technical Corrections.**

AN ACT TO MAKE TECHNICAL AND SUBSTANTIVE CORRECTIONS AND CLARIFICATIONS TO THE INSURANCE LAW AND TO AMEND THE INSURANCE HOLDING COMPANY ACT AND A RELATED STATUTE TO STRENGTHEN THE SOLVENCY OF NORTH CAROLINA INCORPORATED INSURERS. [See Sections 2.3 & 6]

**S.L. 2006-112 (SB 1555) Revise Articles 1 and 7 of the UCC.**

AN ACT TO ENACT REVISED ARTICLE 1 OF THE UNIFORM COMMERCIAL CODE CONTAINING GENERAL PROVISIONS APPLICABLE TO THE ENTIRE CODE, TO MAKE CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, TO ENACT REVISED ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE RELATING TO WAREHOUSE RECEIPTS AND BILLS OF LADING, TO MAKE CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, AND TO REPEAL OBSOLETE CRIMINAL PROVISIONS OF THE FORMER UNIFORM WAREHOUSE RECEIPTS ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. [Entire Act]

**S.L. 2006-134 (HB 1388) Debt Collection Licensing Changes.**

AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ISSUE PERMITS TO ALIEN DEBT COLLECTORS. [Entire Act]

**S.L. 2006-143 (HB 1502) Schoolchildren's Health Act.**

AN ACT TO ENACT THE SCHOOLCHILDREN'S HEALTH ACT OF 2006. [Entire Act, except as otherwise provided. See Section 4]

**S.L. 2006-144 (HB1301) PT BD. Lic/Strngth BD. Med/Patient Safe Org.**

AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS TO REQUIRE LICENSEES TO DEMONSTRATE CONTINUING COMPETENCE IN THE PRACTICE OF PHYSICAL THERAPY, AND STRENGTHENING THE AUTHORITY OF THE NORTH CAROLINA MEDICAL BOARD TO DISCIPLINE PHYSICIANS AND CERTAIN OTHERS, AND DESIGNATING INFORMATION RELEASED TO PATIENT SAFETY ORGANIZATIONS AS CONFIDENTIAL, AND ALLOWING CERTAIN GROUPS TO PRACTICE AS PROFESSIONAL CORPORATIONS. [See Sections 4-9 & 11]

**S.L. 2006-161 (HB 1845) Permitted Use of Campaign Funds.**

AN ACT TO RESTRICT THE USE OF CONTRIBUTIONS TO CANDIDATES AND CANDIDATES' CAMPAIGN FUNDS TO THOSE RELATED TO CAMPAIGNS AND OFFICE-HOLDING DUTIES; TO PROHIBIT PERSONAL USE OF CONTRIBUTIONS BY CANDIDATES AND CANDIDATE CAMPAIGN COMMITTEES; AND TO STRENGTHEN REPORTING REQUIREMENTS TO PREVENT VIOLATIONS. [See Sections 1-5 & 6]

**S.L. 2006-168 (HB 2744) Economic Development Program Modifications.**

AN ACT TO MAKE MODIFICATIONS TO THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, TO EXTEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT FOR CERTAIN TAXPAYERS, AND TO ENHANCE CERTAIN SALES AND USE TAX BENEFITS. [See Sections 4.2 & 4.4]

**S.L. 2006-173 (HB 1248) Amend Identity Theft Protection Act of 2005.**

AN ACT AMENDING THE IDENTITY THEFT PROTECTION ACT OF 2005. [See Sections 1 & 10]

**S.L. 2006-182 (HB 1847) Electioneering Communications.**

AN ACT TO STRENGTHEN REGULATION OF ELECTIONEERING COMMUNICATIONS IN NORTH CAROLINA. [See Section 5]

**S.L. 2006-187 (HB 1848) Omnibus Courts Act.**

AN ACT TO AUTHORIZE THE COLLECTION OF OFFENDER FINES AND FEES ASSESSED BY THE GENERAL COURT OF JUSTICE BY CREDIT CARD, CHARGE CARD, OR DEBIT CARD; TO AUTHORIZE THE USE OF ELECTRONIC FILING IN THE TRIAL COURTS; TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE THE JUDICIAL DEPARTMENT WITH CRIMINAL BACKGROUND CHECKS FROM THE STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORIES; TO ESTABLISH A PERMANENCY MEDIATION PROGRAM; TO AMEND THE LAW PROVIDING FOR FOREIGN LANGUAGE INTERPRETERS IN THE COURTS; TO AUTHORIZE THE ESTABLISHMENT OF CERTAIN POSITIONS WITHIN THE JUDICIAL DEPARTMENT; TO REVISE AND UPDATE THE PROCEDURES AND RESPONSIBILITIES OF THE JUDICIAL STANDARDS COMMISSION AND TO AUTHORIZE SIX ADDITIONAL MEMBERS OF THE COMMISSION; AND TO MAKE TECHNICAL CORRECTIONS AND ADJUSTMENTS TO PROVISIONS AFFECTING THE COURTS. [See Sections 3 & 13]

**S.L. 2006-195 (HB 1846) 2006 Campaign Finance Changes.**

AN ACT TO LOWER THE THRESHOLD FROM ONE HUNDRED DOLLARS TO FIFTY DOLLARS FOR ACCEPTING A POLITICAL CONTRIBUTION IN CASH; TO PROHIBIT THE USE OF BLANK PAYEE CHECKS IN CAMPAIGN CONTRIBUTIONS; TO REQUIRE THE REPORTING OF THE IDENTITY OF A CONTRIBUTOR WHO MAKES A CONTRIBUTION OF MORE THAN FIFTY DOLLARS; TO SPECIFY THE TIME PERIOD BY WHICH THE THRESHOLD FOR IDENTIFYING AN INDIVIDUAL CONTRIBUTOR'S IDENTITY IS MEASURED; TO ADD A PENALTY FOR ACCEPTING CONTRIBUTIONS FROM CERTAIN NONLEGAL SOURCES; TO BAR PROSECUTION IF BEST EFFORTS ARE MADE TO ENSURE THAT A CONTRIBUTION IS FROM A LEGAL SOURCE; AND TO STRENGTHEN POLITICAL COMMITTEE TREASURER TRAINING. [See Sections 7-9]

**S.L. 2006-199 (SB 1375) Notary Public Corrections.**

AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE NOTARY PUBLIC ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CORRECTIONS TO SESSION LAW 2006-59. [See Sections 1 & 5]

**S.L. 2006-201 (HB 1843) State Government Ethics Act – 1.**

AN ACT TO ESTABLISH THE STATE GOVERNMENT ETHICS ACT; TO CREATE THE STATE ETHICS COMMISSION; TO ESTABLISH ETHICAL STANDARDS FOR CERTAIN STATE PUBLIC OFFICERS, STATE EMPLOYEES, AND APPOINTEES TO NONADVISORY STATE BOARDS AND COMMISSIONS; TO REQUIRE PUBLIC DISCLOSURE OF ECONOMIC INTERESTS BY CERTAIN PERSONS IN THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES; TO AMEND THE LOBBYING LAWS; AND TO MAKE CONFORMING CHANGES. [See Section 25]

**S.L. 2006-203 (HB914) State Budget Act.**

AN ACT TO RECODIFY MANY OF THE PROVISIONS OF THE EXECUTIVE BUDGET ACT AND THE CAPITAL IMPROVEMENT PLANNING ACT INTO A STATE BUDGET ACT THAT REVISES AND CLARIFIES THE PROCEDURES FOR PREPARING, ENACTING, AND

ADMINISTERING THE STATE BUDGET, TO MAKE CONFORMING CHANGES, AND TO REPEAL VARIOUS STATUTES AND SESSION LAWS. [See Section 87]

**S.L. 2006-222 (SB 2010) Aircraft Mechanics' Lien/Wine Making.**

AN ACT TO ESTABLISH A STATUTORY LIEN FOR UNPAID LABOR, SKILL, OR MATERIALS ON AN AIRCRAFT AND FOR UNPAID STORAGE OF AN AIRCRAFT AND TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR 'WINEMAKING ON PREMISES' BUSINESSES. [See Part I]

**S.L. 2006-239 (SB 2043) Increase Mortgage Lending Fees.**

AN ACT TO UPDATE THE MORTGAGE LENDING ACT BY CHANGING THE REGISTRATION FEES FOR MORTGAGE LICENSING AND RENEWAL AND BY AUTHORIZING THE COMMISSIONER TO PARTICIPATE IN A NATIONAL LICENSING SYSTEM AND DATABASE. [Entire Act]

**S.L. 2006-242 (HB2885) ESC/Employers' Protest Filing Period.**

AN ACT RELATING TO THE FILING PERIOD FOR EMPLOYERS TO PROTEST UNEMPLOYMENT INSURANCE CLAIMS. [Entire Act]

**S.L. 2006-243 (HB2894) Prohibit Various Lending Subterfuges.**

AN ACT TO CLARIFY THE APPLICATION OF THE NORTH CAROLINA CONSUMER FINANCE ACT TO VARIOUS LENDING SUBTERFUGES. [Entire Act]

**S.L. 2006-252 (HB 2170) Bill Lee Changes.**

AN ACT TO REPLACE THE TAX CREDITS GENERALLY AVAILABLE UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT WITH MORE NARROWLY FOCUSED CREDITS FOR JOB CREATION AND BUSINESS INVESTMENT. [See Sections 2.25 & 2.27]

**S.L. 2006-259 (SB 1523) 2006 Technical Corrections Act.**

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. [See Sections 5, 13, 14, 52(b) by virtue of S.L. 2006-264, Section 40(a)]

**S.L. 2006-264 (SB 602) Technical Corrections Act-2 – 2005.**

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. [See Section 40(a)]

**2005-2006 Legislation 'Effective November 1, 2006'**

**No public law provisions were enacted during the 2005-2006 Session with an effective date of November 1, 2006.**

**2005-2006 Legislation 'Effective December 1, 2006'**

**The following public law provisions were enacted during the 2005-2006 Session with an effective date of December 1, 2006.**

**S.L. 2006-66 (SB 1741) Modify Appropriations Act of 2005.**

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2005, TO INCREASE TEACHER AND STATE EMPLOYEE PAY, TO REDUCE THE SALES TAX RATE AND THE INCOME TAX RATE APPLICABLE TO MOST SMALL BUSINESSES, TO CAP THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUEL TAX RATE AT ITS CURRENT RATE, TO ENACT OTHER TAX REDUCTIONS, AND TO PROVIDE FOR THE FINANCING OF HIGHER EDUCATION FACILITIES AND PSYCHIATRIC HOSPITALS AND OTHER CAPITAL PROJECTS. [See Sections 24.1 & 28.7]

**S.L. 2006-80 (HB 2200) Enhance Embargo Auth/Protect Food Supply.**

AN ACT TO ENHANCE THE EMBARGO AUTHORITY OF THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES AND LOCAL HEALTH DIRECTORS AND TO DIRECT THE DEVELOPMENT OF A STATE PLAN TO PROTECT THE FOOD SUPPLY FROM INTENTIONAL CONTAMINATION. [See Sections 1 & 3]

**S.L. 2006-113 (HB 2098) Protection of Animals.**

AN ACT TO AMEND THE LAW RELATING TO THE PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. [Entire Act, by virtue of S.L. 2006-259, Section 37]

**S.L. 2006-140 (SB 774) Seat Belt Use Enhancements.**

AN ACT TO MODIFY THE SEAT BELT USE STATUTES TO ENHANCE THE USE OF SEAT BELTS. [Entire Act]

**S.L. 2006-169 (SB 1833) Disorderly Conduct/Funeral/Military Services.**

AN ACT TO PROHIBIT DISORDERLY CONDUCT AT A MILITARY FUNERAL OR MEMORIAL SERVICE OR ANY OTHER FUNERAL OR MEMORIAL SERVICE. [Entire Act]

**S.L. 2006-177 (SB 1289) Cell Phone Use by Drivers Under 18 Prohibited.**

AN ACT TO REDUCE FATALITIES AMONG NEW TEEN DRIVERS BY MAKING THE USE OF A MOBILE PHONE UNLAWFUL FOR A PERSON LESS THAN EIGHTEEN YEARS OF AGE AND WHO HOLDS A PROVISIONAL LICENSE WHILE DRIVING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA, AS RECOMMENDED BY THE NC CHILD FATALITY TASK FORCE. [Entire Act]

**S.L. 2006-179 (SB 488) Assault Handicapped/Increase Penalty.**

AN ACT TO INCREASE THE CRIMINAL PENALTY FOR SIMPLE ASSAULT OR BATTERY ON A HANDICAPPED PERSON. [Entire Act]

**S.L. 2006-181 (HB 1120) Strengthen Neighborhood Watch Programs.**

AN ACT TO OFFICIALLY ACKNOWLEDGE THE IMPORTANCE OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND TO ESTABLISH A CRIMINAL PENALTY FOR HARASSMENT OF A MEMBER OF A NEIGHBORHOOD CRIME WATCH PROGRAM. [See Sections 3 & 4]



**S.L. 2006-229 (HB 1523) Increase Penalties For Cama Violations.**

AN ACT TO INCREASE THE AMOUNT OF THE PENALTIES THAT MAY BE ASSESSED FOR VIOLATION OF THE COASTAL AREA MANAGEMENT ACT. [See Sections 1 & 2]

**S.L. 2006-247 (HB 1896) Protect Children/Sex Offender Law Changes.**

AN ACT TO (1) AMEND THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAMS; (2) IMPLEMENT A SATELLITE-BASED MONITORING SYSTEM TO ASSIST WITH THE SUPERVISION OF CERTAIN SEX OFFENDERS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE; (3) EXPAND THE DEFINITION OF 'SEXUAL CONTACT' AS IT RELATES TO THE OFFENSE OF SEXUAL BATTERY; (4) AUTHORIZE THE DEPARTMENT OF CORRECTION TO STUDY THE MENTAL HEALTH TREATMENT PRACTICES OF SEX OFFENDERS; (5) CREATE THE CRIMINAL OFFENSES OF HUMAN TRAFFICKING AND SEXUAL SERVITUDE; (6) AMEND THE OFFENSE OF INVOLUNTARY SERVITUDE; (7) ADD THE OFFENSE OF SEXUAL SERVITUDE TO THE LIST OF OFFENSES THAT REQUIRE REGISTRATION UNDER SEX OFFENDER REGISTRATION LAWS; (8) TO MAKE IT A CLASS G FELONY FOR A SEX OFFENDER TO RESIDE WITHIN ONE THOUSAND FEET OF A PUBLIC OR NONPUBLIC SCHOOL OR A CHILD CARE CENTER; (9) AMEND LAWS APPLICABLE TO NOTIFICATION OF SEX OFFENDER REGISTRATION REQUIREMENTS BY THE DIVISION OF MOTOR VEHICLES; AND TO PROVIDE THAT THE ACT SHALL BE KNOWN AS "AN ACT TO PROTECT NORTH CAROLINA'S CHILDREN/SEX OFFENDER LAW CHANGES." [See Sections 1(b) & (c), 2, 3, 5-7, 8(a) & (c), 9.1,10,11(c), 12, 19(e) & 22]

**S.L. 2006-250 (HB 1413) Enhance Local Govt. Adm. of Env. Prgms.**

AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR LOCAL GOVERNMENTS THAT ADMINISTER APPROVED LOCAL ENVIRONMENTAL PROGRAMS AND TO PROVIDE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO REQUEST THE AUTHORITY TO ADMINISTER ALL OR A PORTION OF CERTAIN ENVIRONMENTAL PROGRAMS AND TO ALLOW LOCAL GOVERNMENT EMPLOYEES TO STAND IN, ON, OR NEAR A PUBLIC STREET OR HIGHWAY OWNED, LEASED, OR CONTROLLED BY THE STATE TO SOLICIT CHARITABLE CONTRIBUTIONS SO LONG AS THE PERSON SOLICITING IS AN EMPLOYEE OR AGENT OF THE LOCAL GOVERNMENT AND MEETS CERTAIN RESTRICTIONS AND GUIDELINES. [See Sections 7 & 8]

**S.L. 2006-253 (HB 1048) Governor's DWI Task Force Recommendations.**

AN ACT TO PROVIDE: (1) IMPROVED DETECTION OF IMPAIRED DRIVERS ON THE STATE'S ROADS AND HIGHWAYS; (2) IMPROVED METHODS OF DETERMINING HOW UNDERAGE DRIVERS OBTAIN ALCOHOL; (3) PROCEDURES FOR INVESTIGATING, ARRESTING, CHARGING, AND JUDICIAL PROCESSING OF IMPAIRED DRIVING OFFENSES; (4) RULES FOR THE COURTROOM ADMISSION OF EVIDENCE THAT IS RELEVANT TO IMPAIRED DRIVING OFFENSES; (5) CLARIFICATION ON WHEN A DRIVER IS GUILTY OF DRIVING WHILE IMPAIRED; (6) AGGRAVATED PENALTIES FOR OFFENDERS WHO SERIOUSLY INJURE OR KILL WHEN DRIVING WHILE IMPAIRED; (7) A SYSTEM OF REPORTING BY STATE PROSECUTORS AND THE COURTS ON THE DISPOSITION OF IMPAIRED DRIVING OFFENSES; (8) ELECTRONIC MONITORING AFTER AN IMPAIRED DRIVER HAS BEEN RELEASED FROM CONFINEMENT; (9) FOR THE SEIZURE AND FORFEITURE OF THE VEHICLE WHERE A PERSON IS DRIVING WHILE IMPAIRED WITHOUT A LICENSE OR INSURANCE; (10) OTHER MEASURES DESIGNED

TO IMPROVE THE SAFETY OF THE MOTORING PUBLIC OF NORTH CAROLINA; AND TO PROVIDE THAT THE ACT SHALL BE KNOWN AS "THE MOTOR VEHICLE DRIVER PROTECTION ACT OF 2006." [See Section 33]

**S.L. 2006-259 (SB 1523) 2006 Technical Corrections Act.**

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. [See Sections 4, 10, 11, 37]

**2005-2006 Legislation 'Effective January 1, 2007'**

**The following public law provisions were enacted during the 2005-2006 Session with an effective date of January 1, 2007.**

**S.L. 2005-276 (SB 622) 2005 Appropriations Act.**

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. [See Sections 10.18(c), 14.2(q)]

**S.L. 2005-386 (HB 1096) Amend Environmental Laws 2005.**

AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2) MODIFY ENVIRONMENTAL REPORTING REQUIREMENTS; (3) CHANGE THE NAME OF THE WETLANDS RESTORATION PROGRAM TO THE ECOSYSTEM ENHANCEMENT PROGRAM AND TO CHANGE THE NAME OF THE WETLANDS RESTORATION FUND TO THE ECOSYSTEM RESTORATION FUND; (4) AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO MODIFY THE INSPECTION SCHEDULE FOR ESTABLISHMENTS THAT PREPARE OR SERVE FOOD OR DRINK TO THE PUBLIC; (5) AUTHORIZE THE USE OF FUNDS FROM THE SPECIAL ZOO FUND FOR MARKETING PURPOSES; (6) PROVIDE THAT MEMBERS OF THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE WHO ARE NOT REELECTED TO THE GENERAL ASSEMBLY MAY COMPLETE THEIR TERM OF SERVICE ON THE COMMISSION; (7) MAKE CLARIFYING AMENDMENTS TO THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973; (8) CHANGE THE NAME OF THE AIR QUALITY COMPLIANCE ADVISORY PANEL TO THE SMALL BUSINESS ENVIRONMENTAL ADVISORY PANEL; AND (9) PROVIDE EXEMPTIONS FROM WELL CONTRACTOR CERTIFICATION REQUIREMENTS FOR CERTAIN PERSONS AND CERTAIN ACTIVITIES. [See Sections 4.1 & 10]

**S.L. 2005-429 (SB 393) Economic Development – Public Records.**

AN ACT TO CLARIFY THE PUBLIC RECORDS LAWS WITH RESPECT TO ECONOMIC DEVELOPMENT AND TO REQUIRE THE DEPARTMENT OF REVENUE TO PUBLISH ANNUAL REPORTS REGARDING USE OF ECONOMIC DEVELOPMENT TAX INCENTIVES. [See Sections 2.2-2.12 & 4]

**S.L. 2005-455 (SB 1126) Implement CRFL/Amend Fisheries Laws.**



AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE COASTAL RECREATIONAL FISHING LICENSE, TO EXEMPT FROM COASTAL RECREATIONAL FISHING LICENSE REQUIREMENTS ONLY THOSE INDIVIDUALS WHO ARE UNDER SIXTEEN YEARS OF AGE OR WHO HOLD CERTAIN LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION THAT WERE PURCHASED PRIOR TO JANUARY 1, 2006, TO PROVIDE FOR A STATEWIDE SUBSISTENCE FISHING LICENSE WAIVER, TO PROHIBIT THE WILDLIFE RESOURCES COMMISSION FROM DISCLOSING PERSONAL IDENTIFYING INFORMATION OF LICENSEES AND OTHERS UNDER CERTAIN CIRCUMSTANCES, TO AMEND VARIOUS STATUTES RELATED TO THE WILDLIFE RESOURCES COMMISSION, TO PROVIDE A SYSTEM OF UNIFIED LICENSES UNDER WHICH INDIVIDUALS MAY FISH THROUGHOUT THE STATE, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION AND THE WILDLIFE RESOURCES COMMISSION TO JOINTLY DISBURSE FISHING LICENSE REVENUES AND INVESTMENT INCOME TO MANAGE THE MARINE RESOURCES OF THE STATE. [See Sections 1.1-1.8, 1.11, 1.12, 1.16 & 4.3]

**S.L. 2005-456 (SB 612) Amend Lobbying Laws.**

AN ACT TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES WITHOUT LIMITING EXPENDITURES; BY REQUIRING MONTHLY REPORTING OF LEGISLATIVE LOBBYING DURING SESSIONS OF THE GENERAL ASSEMBLY AND QUARTERLY THEREAFTER; BY ESTABLISHING A WAITING PERIOD BEFORE CERTAIN STATE OFFICERS MAY LOBBY; BY BARRING LOBBYISTS FROM CERTAIN APPOINTMENTS AND OTHER ACTIVITIES; BY REQUIRING REGISTRATION AND QUARTERLY REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH OFFICERS; AND BY CREATING A NO GIFTS REGISTRY. [See Sections 1-3 & 5]

**S.L. 2006 33 (HB 1915) SSTA Sales Tax Defn/Sales Tax Payments.**

AN ACT TO INCORPORATE THE STREAMLINED SALES TAX DEFINITIONS CONCERNING TELECOMMUNICATIONS, TO SIMPLIFY THE TAX PAYMENT REQUIREMENTS FOR SEMIMONTHLY TAXPAYERS, AND TO TREAT TANGIBLE PERSONAL PROPERTY USED IN MODULAR HOMES THE SAME AS TANGIBLE PERSONAL PROPERTY USED IN OTHER HOMES. [See Sections 1-8 & 14]

**S.L. 2006-66 (SB 1741) Modify Appropriations Act of 2005.**

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2005, TO INCREASE TEACHER AND STATE EMPLOYEE PAY, TO REDUCE THE SALES TAX RATE AND THE INCOME TAX RATE APPLICABLE TO MOST SMALL BUSINESSES, TO CAP THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUEL TAX RATE AT ITS CURRENT RATE, TO ENACT OTHER TAX REDUCTIONS, AND TO PROVIDE FOR THE FINANCING OF HIGHER EDUCATION FACILITIES AND PSYCHIATRIC HOSPITALS AND OTHER CAPITAL PROJECTS. [See Sections 9.17(c)-(e) & (g), 10.8 (by virtue of S.L. 2006-221, Section 9(c)), 10.9F(a), 11.7, 14.3, 24.1(d), (f), (h) & (j), 24.9]

**S.L. 2006-71 (SB 1121) Brownfields Property Reuse Act Amendments.**

AN ACT TO AMEND THE BROWNFIELDS PROPERTY REUSE ACT OF 1997. [Entire Act]

**S.L. 2006-104 (SB 1277) NC NOVA-Special Voluntary Licensure Designat.**

AN ACT TO ESTABLISH THE NORTH CAROLINA NEW ORGANIZATIONAL VISION AWARD SPECIAL LICENSURE DESIGNATION, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING. [Entire Act]

**S.L. 2006-114 (HB 2174) Raise Minimum Wage.**

AN ACT TO RAISE THE MINIMUM WAGE IN NORTH CAROLINA. [Entire Act]

**S.L. 2006-142 (HB 2077) Mental Health Reform Changes.**

AN ACT TO MAKE CHANGES WITH RESPECT TO THE IMPLEMENTATION OF MENTAL HEALTH REFORM. [See Sections 4(i)-(k)]

**S.L. 2006-145 (SB 277) Motor Vehicle Self-Insurers.**

AN ACT TO PROVIDE FOR A VOLUNTARY MEDIATION PROGRAM FOR RESIDENTIAL PROPERTY INSURANCE CLAIMS CAUSED BY DISASTERS, TO REQUIRE SELLERS OF PROPERTY INSURANCE TO DISCLOSE MAJOR PERILS THAT ARE NOT COVERED, TO PROVIDE FOR THE TOLLING OF TIME PERIODS IN PROPERTY INSURANCE POLICIES IN DISASTER SITUATIONS, TO PROVIDE FOR THE TOLLING OF TIME PERIODS IF THE OPERATIONS OF THE DEPARTMENT OF INSURANCE ARE INTERRUPTED BY FORCE MAJEURE, AND TO AUTHORIZE MOTOR VEHICLE SELF-INSURANCE FOR CERTAIN RELIGIOUS ORGANIZATIONS. [See Sections 2, 5 & 7]

**S.L. 2006-151 (HB 2047) Video Service Competition Act.**

AN ACT TO PROMOTE CONSUMER CHOICE IN VIDEO SERVICE PROVIDERS AND TO ESTABLISH UNIFORM TAXES FOR VIDEO PROGRAMMING SERVICES. [Entire Act]

**S.L. 2006-155 (HB 2188) Candidate Challenge Procedure.**

AN ACT TO PROVIDE FOR A PROCEDURE FOR CHALLENGING THE QUALIFICATIONS OF A CANDIDATE. [Entire Act]

**S.L. 2006-161 (HB 1845) Permitted Use of Campaign Funds.**

AN ACT TO RESTRICT THE USE OF CONTRIBUTIONS TO CANDIDATES AND CANDIDATES' CAMPAIGN FUNDS TO THOSE RELATED TO CAMPAIGNS AND OFFICE-HOLDING DUTIES; TO PROHIBIT PERSONAL USE OF CONTRIBUTIONS BY CANDIDATES AND CANDIDATE CAMPAIGN COMMITTEES; AND TO STRENGTHEN REPORTING REQUIREMENTS TO PREVENT VIOLATIONS. [See Sections 2-4 & 6]

**S.L. 2006-162 (HB 1963) Revenue Laws Tech. & Motor Fuel Tax Changes.**

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, TO IMPROVE THE COLLECTION AND ADMINISTRATION OF THE MOTOR FUEL TAX, AND TO AUTHORIZE A COUNTY THAT IMPOSES A SALES TAX FOR PUBLIC TRANSPORTATION TO LEVY A VEHICLE RENTAL TAX. [See Sections 14, 15, 17, 32 & 33]

**S.L. 2006-185 (SB 948) Amend Boating Safety/Vessel Titling Law.**

AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BOATING SAFETY AND VESSEL TITLING LAW. [Entire Act]

**S.L. 2006-187 (HB 1848) Omnibus Courts Act.**

AN ACT TO AUTHORIZE THE COLLECTION OF OFFENDER FINES AND FEES ASSESSED BY THE GENERAL COURT OF JUSTICE BY CREDIT CARD, CHARGE CARD, OR DEBIT CARD; TO AUTHORIZE THE USE OF ELECTRONIC FILING IN THE TRIAL COURTS; TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE THE JUDICIAL DEPARTMENT WITH CRIMINAL BACKGROUND CHECKS FROM THE STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORIES; TO ESTABLISH A PERMANENCY MEDIATION PROGRAM; TO AMEND THE LAW PROVIDING FOR FOREIGN LANGUAGE INTERPRETERS IN THE COURTS; TO AUTHORIZE THE ESTABLISHMENT OF CERTAIN POSITIONS WITHIN THE JUDICIAL DEPARTMENT; TO REVISE AND UPDATE THE PROCEDURES AND RESPONSIBILITIES OF THE JUDICIAL STANDARDS COMMISSION AND TO AUTHORIZE SIX ADDITIONAL MEMBERS OF THE COMMISSION; AND TO MAKE TECHNICAL CORRECTIONS AND ADJUSTMENTS TO PROVISIONS AFFECTING THE COURTS. [See Sections 11-13]

**S.L. 2006-191 (SB 729) Used Motor Vehicle Dealer Courses.**

AN ACT TO EXEMPT NEW MOTOR VEHICLE DEALERS FROM THE USED MOTOR VEHICLE DEALERS' COURSE REQUIREMENTS. [Entire Act]

**S.L. 2006-192 (HB 1024) Runoff Changes.**

AN ACT TO AUTHORIZE THE STATE BOARD OF ELECTIONS TO CONDUCT A PILOT PROGRAM IN WHICH THE INSTANT RUNOFF METHOD OF VOTING WOULD BE USED IN LOCAL ELECTIONS; TO SET THE DATE OF FUTURE SECOND PRIMARIES AT SEVEN WEEKS AFTER THE FIRST PRIMARY; TO REVISE THE MUNICIPAL ELECTION SCHEDULE TO PROVIDE MORE TIME FOR ABSENTEE VOTING AND ELECTION ADMINISTRATION; TO CONFORM NORTH CAROLINA ABSENTEE VOTING LAW TO THE U.S. UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT; TO REVISE THE PROCEDURE FOR SELECTION OF PRECINCTS AND OTHER VOTING UNITS FOR SAMPLE COUNTS; TO PROVIDE FOR FILLING MID-ELECTION-YEAR JUDICIAL VACANCIES; AND TO FURTHER AMEND THE LAW CONCERNING JUDICIAL CANDIDACIES. [See Sections 2-5, 15(in part), 17 & 19]

**S.L. 2006-195 (HB 1846) 2006 Campaign Finance Changes.**

AN ACT TO LOWER THE THRESHOLD FROM ONE HUNDRED DOLLARS TO FIFTY DOLLARS FOR ACCEPTING A POLITICAL CONTRIBUTION IN CASH; TO PROHIBIT THE USE OF BLANK PAYEE CHECKS IN CAMPAIGN CONTRIBUTIONS; TO REQUIRE THE REPORTING OF THE IDENTITY OF A CONTRIBUTOR WHO MAKES A CONTRIBUTION OF MORE THAN FIFTY DOLLARS; TO SPECIFY THE TIME PERIOD BY WHICH THE THRESHOLD FOR IDENTIFYING AN INDIVIDUAL CONTRIBUTOR'S IDENTITY IS MEASURED; TO ADD A PENALTY FOR ACCEPTING CONTRIBUTIONS FROM CERTAIN NONLEGAL SOURCES; TO BAR PROSECUTION IF BEST EFFORTS ARE MADE TO ENSURE THAT A CONTRIBUTION IS FROM A LEGAL SOURCE; AND TO STRENGTHEN POLITICAL COMMITTEE TREASURER TRAINING. [See Sections 1-6 & 9]

**S.L. 2006-201 (HB 1843) State Government Ethics Act – 1.**

AN ACT TO ESTABLISH THE STATE GOVERNMENT ETHICS ACT; TO CREATE THE STATE ETHICS COMMISSION; TO ESTABLISH ETHICAL STANDARDS FOR CERTAIN STATE PUBLIC OFFICERS, STATE EMPLOYEES, AND APPOINTEES TO NONADVISORY STATE BOARDS AND COMMISSIONS; TO REQUIRE PUBLIC DISCLOSURE OF ECONOMIC

INTERESTS BY CERTAIN PERSONS IN THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES; TO AMEND THE LOBBYING LAWS; AND TO MAKE CONFORMING CHANGES. [See Sections 4-15, 17-21 & 25]

**S.L. 2006-209 (SB 1373) Various Special Plates.**

AN ACT TO INCREASE THE FEE FOR A BREAST CANCER AWARENESS SPECIAL PLATE TO SUPPORT SERVICES TO DETECT BREAST CANCER EARLIER; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: CAROLINA'S AVIATION MUSEUM, EMT, FOX HUNTING, GOLD STAR, GREYHOUND FRIENDS OF NC, KAPPA ALPHA PSI FRATERNITY, LEUKEMIA & LYMPHOMA SOCIETY, LUNG CANCER RESEARCH, NC CHILDREN'S PROMISE, NC STATE PARKS, PRINCE HALL MASON, SUPPORT OUR TROOPS, AND US EQUINE RESCUE LEAGUE; TO ELIMINATE THE REGISTRATION PLATE FEE REQUIREMENT FOR INDIVIDUALS WHO QUALIFY FOR THE LEGION OF VALOR SPECIAL REGISTRATION PLATE; TO ADD THE DUCKS UNLIMITED SPECIAL PLATE TO THE LIST OF PLATES NOT REQUIRED TO HAVE A "FIRST IN FLIGHT" BACKGROUND; TO AUTHORIZE THE DIVISION TO ISSUE AN INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS SPECIAL PLATE TO A SURVIVING SPOUSE; TO REPEAL THE SUNSET ON THE HARLEY OWNERS' GROUP AND ROCKY MOUNTAIN ELK FOUNDATION SPECIAL LICENSE PLATES; AND TO AMEND THE RETIRED HIGHWAY PATROL SPECIAL PLATE. [See Section 9]

**S.L. 2006-221 (SB 198) Revise 2006 Budget Act.**

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2006. [See Sections 9(c) & 27(b)]

**S.L. 2006-226 (SB 1479) UNINC. Nonprofit Assoc. Act/GSC Tech. Corr.**

AN ACT TO ENACT THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT AND TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. [See Sections 1-7 & 34]

**S.L. 2006-231 (SB 1621) Special Indebtedness Projects.**

AN ACT TO AUTHORIZE ADDITIONAL SPECIAL INDEBTEDNESS FOR THE CONSTRUCTION OF UP TO FIVE YOUTH DEVELOPMENT CENTERS; TO AUTHORIZE SPECIAL INDEBTEDNESS FOR THE PURCHASE OF STATE GAME LANDS; TO AUTHORIZE SPECIAL INDEBTEDNESS FOR A PARKING FACILITY IN DOWNTOWN RALEIGH; AND TO EXEMPT SALES OF TIMBER FROM THE SERVICE CHARGE IMPOSED BY THE DEPARTMENT OF ADMINISTRATION. [See Sections 1 & 6]

**S.L. 2006-233 (HB 966) Candidate Specific Communications.**

AN ACT TO PROVIDE FOR THE DISCLOSURE OF CANDIDATE-SPECIFIC COMMUNICATIONS. [Entire Act]

**S.L. 2006-234 (HB 88) Electoral Fairness Act.**

AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A STATEWIDE UNAFFILIATED CANDIDATE TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER OF VOTES A NEW POLITICAL PARTY MUST GAIN FOR A NOMINEE IN ORDER

TO MAINTAIN BALLOT ELIGIBILITY; TO EXTEND FILING FEE PROVISIONS TO NEW PARTY AND UNAFFILIATED CANDIDATES; AND TO PROVIDE THAT A CANDIDATE WHO RAN IN A PARTY PRIMARY FOR AN OFFICE IS NOT ELIGIBLE FOR NOMINATION BY ANOTHER PARTY TO FILL A VACANCY IN ITS NOMINATION FOR THE SAME OFFICE IN THE SAME YEAR. [Entire Act]

**S.L. 2006-252 (HB 2170) Bill Lee Changes.**

AN ACT TO REPLACE THE TAX CREDITS GENERALLY AVAILABLE UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT WITH MORE NARROWLY FOCUSED CREDITS FOR JOB CREATION AND BUSINESS INVESTMENT. [See Sections 1.1, 1.3, 1.5 & 2.27]

**S.L. 2006-257 (HB 267) 8-Year Drivers License/internet DL Renewal.**

AN ACT TO AUTHORIZE EIGHT-YEAR DRIVERS LICENSES AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO PROVIDE FOR THE ISSUANCE OF TEMPORARY DRIVING CERTIFICATES PENDING THE ISSUANCE OF A DRIVERS LICENSE. [See Sections 1 & 3]

**S.L. 2006-259 (SB 1523) 2006 Technical Corrections Act.**

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. [See Sections 23.1, 26, 43.5 & 48]