

2007-2008 Legislation with Effective Dates from July 1, 2008 through January 1, 2009

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Following is a list of the major public law provisions enacted in 2007-2008 with effective dates from July 1, 2008 through January 1, 2009. For additional assistance please contact a member of the Legislative Library staff at (919) 733-9390.

The following public law provisions were enacted during the 2007-2008 Session with an effective date of July 1, 2008.

[S.L. 2007-56](#) (SB 1026) Drivers License Issuance/Expiration Dates.

AN ACT TO RESTORE THE LICENSEE'S BIRTHDAY AS THE EXPIRATION DATE OF A DRIVERS LICENSE FOR A PERSON EIGHTEEN YEARS OLD OR OLDER; TO CORRECT THE DESCRIPTION OF THE DOCUMENTS REQUIRED TO BE PRESENTED BY LEGAL NONIMMIGRANT APPLICANTS FOR A DRIVERS LICENSE TO ESTABLISH THAT THEY ARE LEGALLY PRESENT IN THE UNITED STATES AND HOW LONG THEY ARE AUTHORIZED TO STAY; AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CANCEL A DRIVERS LICENSE ISSUED TO A LEGAL NONIMMIGRANT IF THAT PERSON IS NO LONGER AUTHORIZED UNDER FEDERAL LAW TO BE IN THE UNITED STATES, ALL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

[See Section 1]

[S.L. 2007-85](#) (SB 772) School Finance Officer Fidelity Bonds.

AN ACT TO CHANGE THE AMOUNT OF THE FIDELITY BOND REQUIRED OF SCHOOL FINANCE OFFICERS.

[Entire Act]

[S.L. 2007-164](#) (SB 830) DOT Maintenance Program/DMV Registration.

AN ACT TO DEVELOP PERFORMANCE STANDARDS FOR THE DEPARTMENT OF TRANSPORTATION AND TO MODIFY MOTOR VEHICLE REGISTRATION REQUIREMENTS.

[See Section 8 (as amended by [2007-484](#), s.41.5)]

[S.L. 2007-268](#) (HB 973) Mental Health Equitable Coverage.

AN ACT TO REQUIRE MANDATORY HEALTH INSURANCE COVERAGE OF CERTAIN MENTAL ILLNESSES AND TO REQUIRE AT LEAST A MINIMUM BENEFIT PACKAGE FOR OTHER MENTAL ILLNESSES.

[Entire Act]

[S.L. 2007-323](#) (HB 1473) 2007 Appropriations Act.

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

[See Sections 10.36(a), 10.45(b), 10.48(c), 14.16(b), 23.4(b), 28.19(c), 28.22(j), 28.22A(a)-(j), (n) & (o), 30.10(d) & (h), 31.16.1(b)]

S.L. 2007-345 (H714) 2007 Budget Technical Corrections Act.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2007.

[See Section 12]

S.L. 2007-364 (SB 509) Motor Vehicle Inspection Failure/Reinspection.

AN ACT TO INCREASE THE PERIOD OF TIME ALLOWED FOR REINSPECTION AFTER FAILING A MOTOR VEHICLE INSPECTION, TO WAIVE THE CIVIL PENALTY FOR FAILURE TO MEET THE EMISSIONS INSPECTION REQUIREMENT WHILE ON ACTIVE MILITARY DUTY OUTSIDE THE STATE, AND TO AMEND PENALTY PROVISIONS.

[See Sections 4 & 5]

S.L. 2007-397 (SB 3) Promote Renewable Energy/Baseload Generation.

AN ACT TO: (1) PROMOTE THE DEVELOPMENT OF RENEWABLE ENERGY AND ENERGY EFFICIENCY IN THE STATE THROUGH IMPLEMENTATION OF A RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARD (REPS), (2) ALLOW RECOVERY OF CERTAIN NONFUEL UTILITY COSTS THROUGH THE FUEL CHARGE ADJUSTMENT PROCEDURE, (3) PROVIDE FOR ONGOING REVIEW OF CONSTRUCTION COSTS AND FOR RECOVERY OF COSTS IN RATES IN A GENERAL RATE CASE, (4) ADJUST THE PUBLIC UTILITY AND ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEES, (5) PROVIDE FOR THE PHASEOUT OF THE TAX ON THE SALE OF ENERGY TO NORTH CAROLINA FARMERS AND MANUFACTURERS, AND (6) ALLOW A TAX CREDIT TO CONTRIBUTORS TO 501(C)(3) ORGANIZATIONS FOR RENEWABLE ENERGY PROPERTY.

[See Sections 10(d) & (i), 11(b) & (f), 12(b) & (e)]

S.L. 2007-408 (SB1303) Mountain Heritage Trout Waters Program.

AN ACT TO ESTABLISH A MOUNTAIN HERITAGE TROUT WATERS THREE-DAY FISHING LICENSE AND TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO ADOPT RULES TO ESTABLISH AND IMPLEMENT A MOUNTAIN HERITAGE TROUT WATERS PROGRAM.

[See Sections 2 & 4]

S.L. 2007-410 (HB 628) Uniform Graduated Co-Paymt MH/DD/SA Svcs.

AN ACT TO CREATE A UNIFORM CO-PAYMENT SCHEDULE FOR MH/DD/SA SERVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

[See Sections 1 & 4]

S.L. 2007-484 (SB 613) 2007 Technical Corrections Act.

AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

[See Section 41.5 (amends [S.L. 2007-164](#), s. 8)]

S.L. 2007-488 (SB 1457) Bond Lic. Plate Agent/Online Veh. Regist.

AN ACT TO REQUIRE BONDS FOR CONTRACTS ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMISSION CONTRACTORS WHO OPERATE LICENSE PLATE AGENCIES, TO ADD CHARLOTTE TO THE DIVISION OF MOTOR VEHICLES OPERATED

REGISTRATION OFFICES, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO HAVE AT LEAST TWO AUTHORIZED ONLINE MOTOR VEHICLE REGISTRATION VENDORS APPROVED FOR CONTRACTING AT ALL TIMES, AND TO AUTHORIZE COMMISSION CONTRACT AGENTS TO CONTRACT WITH ONLINE DEALER REGISTRATION VENDORS. [See Section 2]

S.L. 2007-532 (HB 265) Establish Health Insurance Risk Pool.

AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH INSURANCE RISK POOL. [See Section 6]

S.L. 2007-543 (SB 6) Amend Solid Waste Management Act of 2007.

AN ACT TO (1) CLARIFY THE APPLICATION OF CERTAIN SETBACK REQUIREMENTS FOR DISPOSAL UNITS OF SANITARY LANDFILLS; (2) REVISE THE DISTRIBUTION OF THE PROCEEDS OF THE SOLID WASTE DISPOSAL TAX; AND (3) PROVIDE REIMBURSEMENT OF CERTAIN COSTS INCURRED IN CONNECTION WITH APPLICATIONS FOR PERMITS FOR SANITARY LANDFILLS. [See Sections 2 & 5]

S.L. 2007-550 (SB 1492) Solid Waste Management Act of 2007.

AN ACT TO: (1) CLARIFY THE CIRCUMSTANCES UNDER WHICH AN APPLICATION FOR A SOLID WASTE MANAGEMENT PERMIT MAY BE DENIED; (2) PROVIDE THAT SOLID WASTE MANAGEMENT PERMITS ARE NOT TRANSFERABLE WITHOUT THE APPROVAL OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (3) INCREASE THE PENALTIES THAT MAY BE IMPOSED FOR SOLID WASTE VIOLATIONS; (4) REQUIRE THAT AN APPLICANT FOR A PERMIT AND A PERMIT HOLDER ESTABLISH FINANCIAL RESPONSIBILITY TO ENSURE THE AVAILABILITY OF SUFFICIENT FUNDS FOR PROPER DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CLOSURE, AND POST-CLOSURE MONITORING AND MAINTENANCE OF A SOLID WASTE MANAGEMENT FACILITY; (5) REQUIRE THAT AN OWNER OR OPERATOR OF A SANITARY LANDFILL ESTABLISH FINANCIAL ASSURANCE SUFFICIENT TO COVER A MINIMUM OF THREE MILLION DOLLARS IN COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT THE FACILITY, IN ADDITION TO OTHER FINANCIAL RESPONSIBILITY REQUIREMENTS; (6) CLARIFY AND EXPAND THE SCOPE OF ENVIRONMENTAL COMPLIANCE REVIEW REQUIREMENTS; (7) CLARIFY THAT A PARENT, SUBSIDIARY, OR OTHER AFFILIATE OF THE APPLICANT OR PARENT, INCLUDING ANY BUSINESS ENTITY OR JOINT VENTURER WITH A DIRECT OR INDIRECT INTEREST IN THE APPLICANT IS SUBJECT TO FINANCIAL RESPONSIBILITY AND ENVIRONMENTAL COMPLIANCE REVIEW; (8) PROVIDE FOR SITING OF COMBUSTION PRODUCTS LANDFILLS IN AREAS THAT HAVE BEEN FORMERLY USED FOR THE STORAGE OR DISPOSAL OF COMBUSTION PRODUCTS FROM COAL-FIRED GENERATING UNITS AT THE SAME FACILITY THAT GENERATED THE COMBUSTION PRODUCTS, AND TECHNICAL REQUIREMENTS FOR THESE LANDFILLS; (9) SPECIFY ADDITIONAL TECHNICAL REQUIREMENTS FOR SOLID WASTE MANAGEMENT FACILITIES; (10) REQUIRE THAT ALL APPLICANTS FOR PERMITS FOR SANITARY LANDFILLS CONDUCT AN ENVIRONMENTAL IMPACT STUDY; (11) REQUIRE THAT CERTAIN APPLICANTS FOR SOLID WASTE MANAGEMENT FACILITY PERMITS CONDUCT A TRAFFIC STUDY; (12) CLARIFY THE CIRCUMSTANCES UNDER WHICH A UNIT OF LOCAL GOVERNMENT MAY COLLECT A SOLID WASTE AVAILABILITY FEE; (13) AUTHORIZE UNITS OF LOCAL

GOVERNMENT TO HIRE LANDFILL LIAISONS; (14) ESTABLISH FEES APPLICABLE TO PERMITS FOR SOLID WASTE MANAGEMENT FACILITIES TO SUPPORT THE SOLID WASTE MANAGEMENT PROGRAM; (15) ESTABLISH A SOLID WASTE DISPOSAL TAX TO BE IMPOSED ON THE DISPOSAL OF MUNICIPAL SOLID WASTE IN LANDFILLS IN THE STATE AND ON THE TRANSFER OF MUNICIPAL SOLID WASTE FOR DISPOSAL OUTSIDE THE STATE IN ORDER TO PROVIDE FUNDS FOR THE ASSESSMENT AND REMEDIATION OF PRE-1983 LANDFILLS AND FOR OTHER PURPOSES; (16) ESTABLISH A COMPUTER EQUIPMENT MANAGEMENT PROGRAM; (17) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP A PROPOSED RECYCLING PROGRAM FOR FLUORESCENT LAMPS; (18) DIRECT THE ENVIRONMENT REVIEW COMMISSION TO STUDY ISSUES RELATED TO THE FRANCHISE OF SOLID WASTE MANAGEMENT FACILITIES BY UNITS OF LOCAL GOVERNMENT AND THE TRANSPORTATION OF SOLID WASTE BY RAIL AND BARGE; AND (19) MAKE RELATED CLARIFYING, CONFORMING, AND TECHNICAL CHANGES.

[See Section 14(e)]

S.L. 2008-4 (HB 2189) DV Victim Assistance.

AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

[Entire Act]

S.L. 2008-35 (SB 1876) Deferred Property Tax Programs Changes.

AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION.

[See Sections 3 & 4]

S.L. 2008-56 (SB 1358) Street Gang/Prevention and Intervention.

AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT."

[See Sections 7 & 8]

S.L. 2008-86 (HB 2360) Brd. Cert. Tchrs. Serve as Full-Time Mentors.

AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

[Entire Act]

S.L. 2008-94 (HB 1304) Student Loan Repayment for NC Guard Members.

AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD.

[Entire Act]

S.L. 2008-107 (HB 2436) Modify Appropriations Act of 2007.

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES.

[See Sections 10.13(a)-(c), (e)-(k) & (n), 22.2, 25.5(a), (b) & (g),

26.1(a) (Governor and Council of State/Salary Increases)

26.2 (Nonelected Department Head/Salary Increases)

26.3 (Certain Executive Branch Officials/Salary Increases)

26.4 (Judicial Branch Officials/Salary Increases)

26.5 (Clerk of Superior Court/Salary Increases)

26.6 (Assistant and Deputy Clerks of Court/Salary Increases)

26.7 (Magistrates' Salary Increases)

26.8 (General Assembly Principal Clerks/Salary Increases)

26.9 (Sergeant at Arms and Reading Clerks/Salary Increases)

26.10 (Legislative Employees/Salary Increases)

26.11 (Community Colleges Personnel/Salary Increases)

26.12 (University of North Carolina System/EPA Salary Increases)

26.12A (Lottery Commission Compensation Increases)

26.12B (Mental Health Nurses/Sign-On Bonus)

26.12C (Licensed Ferry Personnel/Classification Study/Report)

26.12D (Salary Adjustment Fund Changes)

26.13 (Most State Employees/Salary Increases)

26.14 (All State-Supported Personnel/Salary Increases)

26.20 (Bonus for Certified Personnel at the Top of Their Salary Schedules)

26.22 (Salary-Related Contributions/Employer), 30.6]

S.L. 2008-118 (HB 2438) 2008 Budget Technical Corrections.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET.

[See Sections 3.10, rewriting G.S. 105-164.14(j) & 4.1]

S.L. 2008-123 (HB 685) Allow Smart Start to Retain Unexpended Funds.

AN ACT TO ALLOW THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., TO RETAIN UNEXPENDED FUNDS FOR THE 2007-2008 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER. [Entire Act]

S.L. 2008-132 (HB 2728) Supplemental Retirement Bd Trustees/Inv Emp.

AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, AND CONCERNING COMPENSATION OF EMPLOYEES IN THE INVESTMENT DIVISION.

[See Sections 4-6]

S.L. 2008-134 (SB 1704) Rev Laws Tech., Clarifying & Admin Changes.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

[See Sections 10 & 79]

S.L. 2008-145 (SB 1957) NCGA Police Powers.

AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

[See Sections 3 & 4]

S.L. 2008-146 (SB 1878) Property Tax Modifications.

AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION.

[See Sections 2.1-2.3, 4.1-4.2, 5.1-5.2 & 7]

S.L. 2008-168 (HB 2443) State Health Plan.

AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS.

[Entire Act]

S.L. 2008-171 (HB 1889) Wildlife Land Property Tax Changes.

AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND, TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT, AND TO PROVIDE A PROPERTY TAX EXEMPTION FOR LEASEHOLD INTEREST IN CERTAIN EXEMPTED PROPERTY.

[See Sections 7 & 8]

S.L. 2008-193 (SB 2056) Court Fee Exemption.

AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES.

[See Sections 3 & 4]

S.L. 2008-194 (HB 545) Clarify and Amend Various Provisions.

AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3)

AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

[See Sections 7(e), repeal of subsection (c) of G.S. 161-22 & 12]

S.L. 2008-202 (SB 1799) DMV Record Checks and License Changes.

AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE.

[See Section 2, rewriting G.S. 20-7(f)(5)]

S.L. 2008-205 (HB 2768) Orange/Hunting on Private Property.

AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM.

[See Sections 2 & 3]

S.L. 2008-209 (HB 15) Some Personal Leave Time/No Penalty.

AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

[See Sections 1(a) & (b)]

S.L. 2008-210 (SB 2081) NICS Reporting/Restoration.

AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS.

[See Sections 4 & 5]

S.L. 2008-220 (SB 1736) Sex Offender/Register E-Mail Address.

AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS.

[See Sections 11 & 12]

S.L. 2008-226 (HB 2623) Emergency Foreclosure Reduction Program.

AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION.

[See Sections 4 & 6]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of August 1, 2008.

S.L. 2007-193 (HB 24) Smoking in State Govt. Buildings/Prohibition.

AN ACT TO PROTECT THE PUBLIC FROM THE HEALTH RISKS OF SECONDHAND SMOKE BY PROHIBITING SMOKING IN BUILDINGS OWNED, LEASED, OR OCCUPIED BY STATE GOVERNMENT; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REGULATE SMOKING IN BUILDINGS AND TRANSPORTATION VEHICLES OWNED, LEASED, OR OCCUPIED BY LOCAL GOVERNMENT AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

[See Section 3.1 (repeals 130A-498(b)(3) as enacted by section 2)]

S.L. 2008-107 (HB 2436) Modify Appropriations Act of 2007.

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES.

[See Sections 28.6 & 28.20]

S.L. 2008-135 (HB 1076) Fee Waiver/UNC & Community Colleges.

AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE.

[Entire Act]

S.L. 2008-158 (SB 1407) Resale of Tickets via Internet.

AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET.

[Entire Act]

S.L. 2008-192 (SB 2015) School of Arts/Name Change.

AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS.

[Entire Act]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of September 1, 2008.

S.L. 2008-150 (SB 1263) Election Law Amendments.

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES.

[See Sections 10 & 12]

S.L. 2008-221 (SB 1695) Vehicle Size and Weight Changes.

AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

[Entire Act]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of October 1, 2008.

S.L. 2007-323 (HB 1473) 2007 Appropriations Act.

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. [See Sections 6.22(a) & (c), 10.39A(a)(2), 31.16.3(a)-(b) & (d)-(j)]

S.L. 2007-503 (HB 679) Safety/Emission Inspection Changes.

AN ACT TO CHANGE ARTICLE 3A OF CHAPTER 20, SAFETY AND EMISSIONS INSPECTION PROGRAMS, TO ALLOW FOR ELECTRONIC INSPECTION PROCESSES AND AUTHORIZATION. [Entire Act]

S.L. 2007-546 (SB 668) Energy Conservation in State Buildings.

AN ACT TO PROMOTE THE CONSERVATION OF ENERGY AND WATER USE IN STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS. [See Sections 1 & 6]

S.L. 2008-12 (HB 724) Use of SSN on Child Support Orders.

AN ACT TO NO LONGER REQUIRE THE USE OF SOCIAL SECURITY NUMBERS ON NORTH CAROLINA CHILD SUPPORT COURT ORDERS. [Entire Act]

S.L. 2008-36 (HB 2287) Service of process/Electronic or Fax Receipt.

AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. [Entire Act]

S.L. 2008-37 (HB 2178) Electronic Voting for Nonprofits.

AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. [Entire Act]

S.L. 2008-87 (HB 2390) Raise Ceiling on Personal Prop. Sale/Guardian.

AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING. [Entire Act]

S.L. 2008-107 (HB 2436) Modify Appropriations Act of 2007.

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES. [See Sections 13.6A & 19.3]

S.L. 2008-111 (SB 1631) Electronic Voting/Open Meetings.

AN ACT TO CLARIFY HOW PUBLIC BODIES IN HYDE COUNTY MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION.

[Entire Act]

S.L. 2008-118 (HB 2438) 2008 Budget Technical Corrections.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET.

[See Sections 3.13(b), amending section 10.15A of [S.L. 2008-107](#) & 4.1]

S.L. 2008-120 (SB 175) Interstate Wildlife Violator Compact.

AN ACT TO ENACT THE INTERSTATE WILDLIFE VIOLATOR COMPACT IN NORTH CAROLINA. [Entire Act]

S.L. 2008-124 (HB 738) Insurance Changes.

AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES.

[See Sections 6.1-7.4, 9.1 & 12.1]

S.L. 2008-133 (HB 1624) Frequency of Parole Reviews.

AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER. [Entire Act]

S.L. 2008-134 (SB 1704) Rev Laws Tech., Clarifying & Admin Changes.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. [See Sections 14(a) & (d), 15(a) & (j) & 79]

S.L. 2008-143 (HB 2499) Drought/Water Management Recommendations.

AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

[See Sections 1, 2, 19 & 21]

S.L. 2008-150 (SB 1263) Election Law Amendments

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE

DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES.

[See Sections 4, 11 & 12]

S.L. 2008-152 (SB 1885) Promote Private Compensatory Mitigation.

AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

[Entire Act]

S.L. 2008-169 (HB 2492) Amend Release of Juvenile Escape Info.

AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY, BASED ON RECOMMENDATIONS BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE. [Entire Act]

S.L. 2008-170 (HB 1113) State Tort Claims/Public Duty Doctrine.

AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CLAIMS UNDER THE STATE TORT CLAIMS ACT IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF CERTAIN PARTIES TO PROTECT CLAIMANTS FROM THE ACTION OF OTHERS.

[Entire Act]

S.L. 2008-177 (HB 2353) Irrigation Contractors Licensure/Fees.

AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS AND TO ADD TWO MORE LEGISLATIVE APPOINTMENTS TO THE NORTH CAROLINA APPRAISAL BOARD. [See Section 7]

S.L. 2008-178 (HB 2341) Child Passenger Safety Technician Liability.

AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. [Entire Act]

S.L. 2008-182 (HB 2391) No Auto. Revoke/Driv. Lic./Incompetent Person.

AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING. [Entire Act]

S.L. 2008-188 (SB 1627) Certified Retirement Community Program.

AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM. [See Sections 2 & 3]

S.L. 2008-190 (SB 1787) Vehicle Registration/Inspection Changes.

AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. [Entire Act]

S.L. 2008-194 (HB 545) Clarify and Amend Various Provisions.

AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS. [See Sections 7(a) & (c) & 12]

S.L. 2008-198 (SB 845) Amend Environmental Laws/Env. Tech. Corrections 2008.

AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT

COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143-214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

[See Sections 6 & 12]

S.L. 2008-205 (HB 2768) Orange/Hunting on Private Property.

AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM.

[See Sections 1 & 3]

S.L. 2008-207 (HB 2530) Solid Waste Tax Changes/Unsalable OTP Refund.

AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS.

[See Sections 4 & 5]

S.L. 2008-211 (SB 1967) Improve Coastal Stormwater Management.

AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF STORMWATER IN THE COASTAL COUNTIES IN ORDER TO PROTECT WATER QUALITY.

[See Sections 1(b), 2, 3 & 8]

S.L. 2008-216 (HB 2340) Transporting Children in Open Bed of Vehicle.

AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES. [Entire Act]

S.L. 2008-217 (HB 2487) Change Format of Drivers Licenses/Under 21.

AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

[Entire Act]

S.L. 2008-227 (HB 2188) Earlier Notification of Mortgage Servicer Fee.

AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT.

[Entire Act]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of November 1, 2008.

S.L. 2008-226 (HB 2623) Emergency Foreclosure Reduction Program.

AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION.

[See Sections 1-3, 5 & 6]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of December 1, 2008.

S.L. 2007-550 (SB 1492) Solid Waste Management Act of 2007.

AN ACT TO: (1) CLARIFY THE CIRCUMSTANCES UNDER WHICH AN APPLICATION FOR A SOLID WASTE MANAGEMENT PERMIT MAY BE DENIED; (2) PROVIDE THAT SOLID WASTE MANAGEMENT PERMITS ARE NOT TRANSFERABLE WITHOUT THE APPROVAL OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (3) INCREASE THE PENALTIES THAT MAY BE IMPOSED FOR SOLID WASTE VIOLATIONS; (4) REQUIRE THAT AN APPLICANT FOR A PERMIT AND A PERMIT HOLDER ESTABLISH FINANCIAL RESPONSIBILITY TO ENSURE THE AVAILABILITY OF SUFFICIENT FUNDS FOR PROPER DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CLOSURE, AND POST-CLOSURE MONITORING AND MAINTENANCE OF A SOLID WASTE MANAGEMENT FACILITY; (5) REQUIRE THAT AN OWNER OR OPERATOR OF A SANITARY LANDFILL ESTABLISH FINANCIAL ASSURANCE SUFFICIENT TO COVER A MINIMUM OF THREE MILLION DOLLARS IN COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT THE FACILITY, IN ADDITION TO OTHER FINANCIAL RESPONSIBILITY REQUIREMENTS; (6) CLARIFY AND EXPAND THE SCOPE OF ENVIRONMENTAL COMPLIANCE REVIEW REQUIREMENTS; (7) CLARIFY THAT A PARENT, SUBSIDIARY, OR OTHER AFFILIATE OF THE APPLICANT OR PARENT, INCLUDING ANY BUSINESS ENTITY OR JOINT VENTURER WITH A DIRECT OR INDIRECT INTEREST IN THE APPLICANT IS SUBJECT TO FINANCIAL RESPONSIBILITY AND ENVIRONMENTAL COMPLIANCE REVIEW; (8) PROVIDE FOR SITING OF COMBUSTION PRODUCTS LANDFILLS IN AREAS THAT HAVE BEEN FORMERLY USED FOR THE STORAGE OR DISPOSAL OF COMBUSTION PRODUCTS FROM COAL-FIRED GENERATING UNITS AT THE SAME FACILITY THAT GENERATED THE COMBUSTION PRODUCTS, AND TECHNICAL REQUIREMENTS FOR THESE LANDFILLS; (9) SPECIFY ADDITIONAL TECHNICAL REQUIREMENTS FOR SOLID WASTE MANAGEMENT FACILITIES; (10) REQUIRE THAT ALL APPLICANTS FOR PERMITS FOR SANITARY LANDFILLS CONDUCT AN ENVIRONMENTAL IMPACT STUDY; (11) REQUIRE THAT CERTAIN APPLICANTS FOR SOLID WASTE MANAGEMENT FACILITY PERMITS CONDUCT A TRAFFIC STUDY; (12) CLARIFY THE CIRCUMSTANCES UNDER WHICH A UNIT OF LOCAL GOVERNMENT MAY COLLECT A SOLID WASTE AVAILABILITY FEE; (13) AUTHORIZE UNITS OF LOCAL GOVERNMENT TO HIRE LANDFILL LIAISONS; (14) ESTABLISH FEES APPLICABLE TO PERMITS FOR SOLID WASTE MANAGEMENT FACILITIES TO SUPPORT THE SOLID WASTE MANAGEMENT PROGRAM; (15) ESTABLISH A SOLID WASTE DISPOSAL TAX TO BE IMPOSED ON THE DISPOSAL OF MUNICIPAL SOLID WASTE IN LANDFILLS IN THE STATE AND ON THE TRANSFER OF MUNICIPAL SOLID WASTE FOR DISPOSAL OUTSIDE THE STATE IN ORDER TO PROVIDE FUNDS FOR THE ASSESSMENT AND REMEDIATION OF PRE-1983 LANDFILLS AND FOR OTHER PURPOSES; (16) ESTABLISH A COMPUTER EQUIPMENT MANAGEMENT PROGRAM; (17) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP A PROPOSED RECYCLING PROGRAM FOR FLUORESCENT LAMPS; (18) DIRECT THE ENVIRONMENT REVIEW COMMISSION TO STUDY ISSUES RELATED TO THE FRANCHISE OF SOLID WASTE MANAGEMENT FACILITIES BY UNITS OF LOCAL GOVERNMENT AND THE TRANSPORTATION OF SOLID WASTE BY RAIL AND BARGE; AND (19) MAKE RELATED CLARIFYING, CONFORMING, AND TECHNICAL CHANGES.

[See Sections 16.1(b), 16.2 & 16.6]

S.L. 2008-15 (HB 946) Vandalism Damages More Than \$5,000/Felony.

AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY.

[Entire Act]

S.L. 2008-89 (SB 236) Regulation of Professional House Moving.

AN ACT TO AMEND THE PROFESSIONAL HOUSEMOVING STATUTES CONTAINED IN ARTICLE 16 OF CHAPTER 20 OF THE GENERAL STATUTES.

[Entire Act]

S.L. 2008-90 (HB 12) Students w/ Disabilities & Special Ed Changes.

AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION.

[See Sections 3 & 5]

S.L. 2008-93 (HB 44) DV Orders/Repeat Violators.

AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. [Entire Act]

S.L. 2008-117 (HB 933) Jessica Lunsford Act for NC.

AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE CLASS B1 FELONIES AND THE OFFENDER SHALL NOT RECEIVE ACTIVE PUNISHMENT OF LESS THAN THREE HUNDRED MONTHS FOLLOWED BY LIFETIME SATELLITE-BASED MONITORING OR THE POSSIBILITY OF LIFE IMPRISONMENT WITHOUT PAROLE, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS. [See Sections 1-21.1 & 22]

S.L. 2008-122 (SB 180) Prohibit Certain Game Promotion.

AN ACT TO CLARIFY THAT CERTAIN SERVER-BASED ELECTRONIC GAME PROMOTIONS ARE PROHIBITED. [Entire Act]

S.L. 2008-128 (SB 944) Change Penalty for Hit and Run Violations.

AN ACT TO MAKE LEAVING THE SCENE OF AN ACCIDENT WHERE A PERSON SUFFERS SERIOUS BODILY INJURY A CLASS F FELONY AND TO PROVIDE THAT THEFT OF FIXTURES ATTACHED TO REAL PROPERTY IS LARCENY.
[Entire Act]

S.L. 2008-129 (HB 1003) Probation Violation Changes.

AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR AND TO PROVIDE THAT A COURT MAY EXTEND OR MODIFY.
[See Sections 1-5]

S.L. 2008-134 (SB 1704) Rev Laws Tech., Clarifying & Admin Changes.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.
[See Sections 68 & 79]

S.L. 2008-143 (HB 2499) Drought/Water Management Recommendations.

AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
[See Sections 11 & 21]

S.L. 2008-150 (SB 1263) Election Law Amendments

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF

MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES. [See Sections 9 & 12]

S.L. 2008-167 (HB 887) Amend Criminal Offense of Stalking.

AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING.
[Entire Act]

S.L. 2008-175 (HB 2308) CDL/Federal Compliance.

AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. [Entire Act]

S.L. 2008-179 (HB 2338) Hospital Report Child Injuries.

AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.
[Entire Act]

S.L. 2008-183 (HB 2397) Nurs. Home Admin Crim. Hist.

AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.
[See Sections 1-3]

S.L. 2008-191 (SB 1860) Amend Child Abuse/Child Fatality Task Force.

AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. [Entire Act]

S.L. 2008-197 (SB 685) Up Penalties Cross Burn/Illeg. To Hang Noose.

AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.
[See Sections 1-4.1 & 6]

S.L. 2008-210 (SB 2081) NICS Reporting/Restoration.

AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS.
[See Sections 1-3 & 5]

S.L. 2008-213 (HB 2542) Clarify Ethics and Lobbying Laws.

AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES.

[See Sections 17, 77 & 78]

S.L. 2008-214 (HB 274) Street Gang Prevention Act.

AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

[Entire Act]

S.L. 2008-220 (SB 1736) Sex Offender/Register E-Mail Address.

AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS.

[See Sections 1, amending G.S. 14-208.6(5) & 12]

S.L. 2008-218 (SB 132) Protect Children From Sexual Predators Act.

AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO INCREASE THE PENALTY IN CERTAIN CIRCUMSTANCES WHERE THERE IS A SOLICITATION BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT AND TO PROVIDE FOR CIVIL LIABILITY; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE. [See Sections 1-6 & 8-11]

S.L. 2008-224 (SB 1314) Amend Massage & Bodywork Therapy Act.

AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY.

[See Sections 18 & 21]

S.L. 2008-225 (SB 1697) Toll Enforcement Authority Changes.

AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540.

[See Sections 8 & 12]

The following public law provisions were enacted during the 2007-2008 Session with an effective date of January 1, 2009.

S.L. 2008-107 (HB 2436) Modify Appropriations Act of 2007.

AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES.

[See Sections 10.2 (amends section 10.13 of [S.L. 2007-323](#)) & 10.7 (amends section 10.29 of [S.L. 2007-323](#))]

S.L. 2007-323 (HB 1473) 2007 Appropriations Act.

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

[See Sections 10.39A(b) & 14.25(a), (e), (j) & (o)]

S.L. 2007-362 (SB 1032) Health Insurance/Prompt Pay Time Lines.

AN ACT TO IMPOSE TIME LIMITATIONS ON OVERPAYMENT RECOVERY UNDER THE PROMPT CLAIM PAYMENTS STATUTE AND TO REQUIRE THAT INSURERS OFFERING HEALTH BENEFITS PLANS PROVIDE INSURANCE IDENTIFICATION CARDS.

[See Sections 2 & 3]

S.L. 2007-364 (SB 509) Motor Vehicle Inspection Failure/Reinspection.

AN ACT TO INCREASE THE PERIOD OF TIME ALLOWED FOR REINSPECTION AFTER FAILING A MOTOR VEHICLE INSPECTION, TO WAIVE THE CIVIL PENALTY FOR FAILURE TO MEET THE EMISSIONS INSPECTION REQUIREMENT WHILE ON ACTIVE MILITARY DUTY OUTSIDE THE STATE, AND TO AMEND PENALTY PROVISIONS.

[See Sections 1, 2 & 5]

S.L. 2008-124 (HB 738) Insurance Changes.

AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES. [See Sections 1.1 – 1.2 & 12.1]

S.L. 2008-127 (HB 964) Expand Definition of Home Care Services.

AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTER, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES.

[See Sections 2 & 4]

S.L. 2008-134 (SB 1704) Rev Laws Tech., Clarifying & Admin Changes.

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. [See Sections 3(b) & (c), 4, 16-60 & 79]

S.L. 2008-141 (SB 1340) Sale of Blocks of Ten-Day CRFLs.

AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES. [Entire Act]

S.L. 2008-149 (SB 1681) Smoke-Free Motor Fleet.

AN ACT TO REQUIRE STATE-CONTROLLED PASSENGER-CARRYING VEHICLES TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

[Entire Act]

S.L. 2008-150 (SB 1263) Election Law Amendments

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES. [See Sections 10.1 & 12]

S.L. 2008-177 (HB 2353) Irrigation Contractors Licensure/Fees.

AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS AND TO ADD TWO MORE LEGISLATIVE APPOINTMENTS TO THE NORTH CAROLINA APPRAISAL BOARD. [See Section 7]

S.L. 2008-194 (HB 545) Clarify and Amend Various Provisions.

AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

[See Sections 8 & 12]

S.L. 2008-195 (HB 2498) Underground Storage Tank Pgrm Amends-2008

AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

[See Sections 1-3, 6, 12 & 13]

S.L. 2008-204 (SB 1925) UNC Nonapp. Cap. Projects/Airport Authority.

AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS

PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

[See Sections 5 & 7]

S.L. 2008-228 (HB 2463) Regulate Mortgage Servicers.

AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT.

[See Section 21]

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