Insights: Alerts

2018 North Carolina Short Session Adjournment

JULY 3, 2018

The North Carolina General Assembly adjourned on June 29, with Governor Cooper signing 32 out of 45 final public bills passed by the General Assembly. Moving at an extremely accelerated pace, the six-week short session saw the quick passage of the budget on June 12 despite the governor's veto. Afterwards, the General Assembly worked quickly, holding a plethora of committee meetings and several midnight sessions. Ultimately, it passed all public bills eligible for governor veto by June 15, giving the governor 10 days to sign, veto, or leave the bills unsigned to become law. Out of those final public bills passed, the governor vetoed seven, signed 32, and left six unsigned. Assembly members spent the final two weeks of session considering non-controversial local bills, constitutional amendments, and veto overrides.

What Made the Cut?

Some of the major pieces of legislation that passed during the short session include the following:

- H 374, Regulatory Reform Act of 2018
  - Amends a number of state laws to reduce regulatory burdens including the revision of wastewater permitting requirements, mitigation bonding reform, and capping certain air quality permit fees.
- H 500, ABC Omnibus Legislation
  - Makes various changes to the alcoholic beverage control laws such as defining a sports and entertainment venue and allowing distillers to sell branded merchandise at spirituous liquor tastings.
- H 573, Business/Regulatory Changes
  - As the name implies, the bill makes business and regulatory changes to various state laws. It includes a provision that authorizes cities to petition the superior court for appointment of a receiver to rehabilitate, demolish, or sell a vacant building when the owner has failed to take corrective action as ordered after a finding that the structure is hazardous or unfit for habitation, when the city adopts an ordinance and orders a public officer to continue enforcement actions, or when an owner voluntarily requests receivership.
- S 655, Change Date When Primary Elections Held
  - Moves the date of the general primary election and the presidential preference primary to March and provides for notices of candidacy in primary elections to be filed in December.
- S 711, NC Farm Act of 2018
  - Makes various changes to laws governing agricultural matters.
- S 758, Build NC Bond Act of 2018
  - Allows DOT to borrow up to $3B over ten years using Highway Trust Fund revenues. The program will speed up the timeline for road projects categorized as local and regional. It would be similar to the existing federal GARVEE program.

Additionally, the General Assembly passed the following constitutional amendments. The amendments will appear on this November's ballot.

- H 551, Strengthening Victims' Rights (Marsy's Law)
  - Would give crime victims the right to receive notice of court proceedings, the right to be present at any proceeding and to be heard at some stages of the legal process, and to "reasonably confer" with the prosecutor in the case.
- H 913, Bipartisan Ethics and Elections Enforcement
  - Would create an eight member Bipartisan Ethics and Elections Board that would be appointed by the General Assembly. The Senate President Pro Tempore and House Speaker would each recommend four members, from nominees provided by the majority and minority leaders. It is currently a nine member Board, all appointed by the Governor.
- H 1092, Require Photo ID to Vote
- S 75, Maximum Income Tax Rate of 7%
  - The original version would have capped the rate at 5.5%. The current cap is 10%.
- S 677, Protect Right to Hunt and Fish
- S 814, Judicial Vacancy Sunshine Amendment
  - Would create a nonpartisan judicial merit commission which would take vet candidates for judicial vacancies and submit evaluations to the legislature.