

State Government

See full summary documents for additional detail

H15 - Convey State Property to Wrightsville Beach. (SL 2018-73)

S.L. 2018-73 requires the State of North Carolina to transfer specific portions of land to the Town of Wrightsville Beach. The act became effective June 25, 2018

H379 - Recodification Working Group. (SL 2018-69)

S.L. 2018-69 does the following:

- Directs State entities to compile and submit a list of crimes adopted by the entity to the Joint Legislative Administrative Procedures Oversight Committee (APO) and the Joint Legislative Oversight Committee on Justice and Public Safety (JPS).
- Directs the Administrative Office of the Courts (AOC) to compile a list of all crimes at common law and in the General Statutes that are deemed unnecessary and submit the list to APO and JPS.
- Directs counties, towns, and metropolitan sewerage districts to submit a list of all ordinances punishable as a misdemeanor to APO and JPS.

The act became effective on June 25, 2018.

H388 - Modernize Mutual Assistance Statutes. (SL 2018-87)

S.L. 2018-87 allows for a law enforcement agency to provide assistance to another law enforcement agency unless specifically prohibited or limited by ordinance.

This act became effective June 25, 2018.

H414 - Official Fly Fishing Museum/Outdoor Festival. (SL 2018-11)

S.L. 2018-11 designates Swain County as the home of the Fly Fishing Museum of the Southern Appalachians, and designates the North Carolina Outdoor Festival held in Montgomery County as the official outdoor festival of the State. This act became effective June 15, 2018.

H425 - State Woolly Worm Festival. (SL 2018-89)

OVERVIEW: S.L. 2018-89 adopts the Woolly Worm Festival in the Town of Banner Elk in Avery County as the official Woolly Worm festival in the State.

The act became effective June 25, 2018.

H613 - Transfer Certain State Property. (SL 2018-71)

S.L. 2018-71 requires the State of North Carolina to transfer the following properties:

- A specific 12 acre tract of land to the Granville County Board of Commissioners to be utilized as a cemetery.
- Approximately 109 acres to the Bladen County Board of Commissioners to be utilized as a driver training facility for first responders.

The act became effective July 1, 2018.

H646 - Amend PED Statutes. (SL 2018-101)

S.L. 2018-101 amends the laws governing the Program Evaluation Division (PED) of the General Assembly to:

- Authorize PED to evaluate non-State entities that receive or expend any State funds.
- Require the Joint Legislative Program Evaluation Oversight Committee (JLPEOC) to adopt a biennial work plan in every odd-numbered year.
- Add administration of measurability assessments as a PED function.
- Standardize PED evaluation reports.
- Revise the powers and duties of the JLPEOC.

[This act became effective June 26, 2018.]

H651 - State Pension/Ret. Health Ben. Fund Solvency. (SL 2018-30)

S.L. 2018-30 creates the Unfunded Liability Solvency Reserve as a reserve in the General Fund to serve as an account for resources that are required to be held in trust for the members and beneficiaries of defined benefit pension plans, defined contribution plans, other postemployment benefit plans, or other employee benefit plans.

The act becomes effective October 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 16.3: Samarcand Training Academy. (SL 2018-5)

Sec. 16.3 of S.L. 2018-5 exempts the Samarcand Training Academy from the requirement that all State agencies transfer all passenger motor vehicles under their ownership, custody or control to the ownership, custody or control of the Department of Administration.

This section became effective on July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 16B.1: Viper In-Kind Contributions/User Survey/Increase Outreach. (SL 2018-5)

Sec. 16B.1 of S.L. 2018-5 directs the Department of Public Safety (DPS) to do the following:

- Determine the value of all in-kind contributions made by units of local government, the federal government, and nongovernmental entities to support the North Carolina Voice Interoperability Plan for Emergency Responders (VIPER) system.
- Increase outreach to VIPER stakeholders beyond those that participate in the State Interoperability Executive Committee.
- Conduct an annual survey of local, State, and federal users of VIPER in order to track and measure user satisfaction and feedback over time.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 22.1: Workers' Compensation/Allow Alternative Employer Penalty. (SL 2018-5)

Sec. 22.1 of S.L. 2018-5 reduces the penalty for employers in noncompliance with the coverage requirements of the Workers' Compensation Act (the Act) for employers with fewer than fifty employees, provides an alternative penalty for first-time noncompliant employers, and prohibits assessment of a penalty for a period of noncompliance that occurred more than three years prior to the date the penalty was first assessed. This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 24.1 Child Well-Being Transformation Council. (SL 2018-5)

Sec. 24.1 of S.L. 2018-5 creates a new Article in Chapter 143 of the General Statutes to establish the Child Well-Being Transformation Council (Council) to serve as a means for coordination, collaboration, and communication among agencies and organizations involved in providing public services to children.

Section 24.1(a) became effective on June 30, 2018. The remainder of the section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 26A.1: Office of State Human Resources/Criminal Record Checks for Prospective Temporary Employees. (SL 2018-5)

Section 26A.1 of S.L. 2018-5 authorizes fingerprint background checks on prospective temporary employees of State agencies and departments, if a criminal record check is a requirement for employment by the agency or department to which the temporary employee will be assigned, the Department of Public Safety is authorized to charge a fee for the costs incurred. Effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 26A.2: OSHR/Temporary Employment Needs of Cabinet & Council of State Agencies. (SL 2018-5)

Sec. 26A.2 of S.L. 2018-5 allows Council of State agencies to have discretion in utilizing the Temporary Solutions Program administered by the Office of State Human Resources when hiring temporary employees to perform work that is not information technology-related.

Cabinet agencies granted an exception from using the Temporary Solutions Program and Council of State agencies electing not to use the Temporary Solutions Program are required to record time worked by each temporary employee in the agency, and, to the extent possible, use BEACON for payroll purposes.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 27.1: Office of State Auditor/State Agencies Required to Prepare Financial Statements Prior to Audit. (SL 2018-5)

Sec. 27.1 of S.L. 2018-5 requires each State agency or department receiving a financial statement audit by the Office of the State Auditor to prepare a financial statement and supplementary information in the format required by the Auditor and submit those items to the Auditor not later than 60 days after the deadline for the agency's or department's Comprehensive Annual Financial Report submission as established by the State Controller.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 31.1: Department of Administration - Contract Management Training for Certain State Employees. (SL 2018-5)

Sec. 31.1 of S.L. 2018-5 amends a subdivision of G.S. 143-49, which authorizes the Secretary of Administration to develop a rigorous contract management training program, to require mandatory certification in the contract management training program for all State employees who monitor compliance and/or award contracts. The Department of Administration (DOA) must report by November 1, 2018 to the Joint Legislative Oversight Committee on General Government on State agencies' compliance with the new requirements.

This section also provides that DOA must develop and implement a contracting specialist training program for the Department of Health and Human Services (DHHS) and consult with the University of North Carolina School of Government to develop and implement the program. The DOA must report by November 1, 2018 to the Joint Legislative Oversight Committee on General Government and the Joint Legislative Oversight Committee on Health and Human Services on the status of the contracting specialist training program for DHHS.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 35.17: Require Submission of Pay Plan Design. (SL 2018-5)

Sec. 35.17 of S.L. 2018-5 requires any agency requesting an allocation from the Pay Plan Reserve of the General Fund to first submit to the Office of State Budget and Management (OSBM) a detailed description of the pay plan design, including the salary or salary range at each step within the pay plan, and the criteria for movement between steps of the pay plan.

S99 - Appropriations Act of 2018.

Sec. 35.18: Statutory Authority Regarding Certain Law Enforcement Officer Benefits. (SL 2018-5)

Section 35.18 of S.L. 2018-5 adds sworn law enforcement officers with the power of arrest in the Department of Natural and Cultural Resources to the list of officers eligible for the salary continuation plan if that officer is incapacitated in the line of duty due to violence, resistance or other special hazards that occur while performing official duties, effective June 12, 2018.

S99 - Appropriations Act of 2018.

Sec. 35.19: Council of State Agencies/Exempt Employees. (SL 2018-5)

Sec. 35.19 of S.L. 2018-5 provides Council of State agencies the sole authority to set the salary of its exempt policymaking and exempt managerial positions. This salary cannot be set lower than the minimum rate, and cannot exceed 10% above the maximum rate, as established by the State Human Resources Commission.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 35.24: State Human Resources Act/RIF Clarification/UNC. (SL 2018-5)

Section 35.24 of S.L. 2018-5 clarifies that no loss of funds is required as a precondition for a reduction in force under the State Human Resources Act. This section also adds The University of North Carolina and its constituent institutions to the list of entities authorized to reorganize and restructure its positions through a voluntary separation process, in accordance with a policy approved by the State Human Resources Commission and subject to funding and approval by the Office of State Budget and Management.

This section became effective July 1, 2018.

S99 - Appropriations Act of 2018.

Sec. 35.25: State Troopers Increase/Training Loan Reimbursement. (SL 2018-5)

Sec. 35.25, as amended by Sec. 8.1 of S.L. 2018-97, implements a new pay plan for the State Highway Patrol and establishes a trooper training cost recovery program applicable after training to cadets and to certain law enforcement employers that hire cadets. To avoid possible federal income tax consequences associated with creating a forgivable loan program, Section 8.1 of the Budget Technical Corrections act (S.L. 2018-97, Senate Bill 335) restructured the program into a contract to reimburse the training expenses if the trooper separates from the Highway Patrol before 36 months of service. Instead of excusing liability monthly under a promissory note effective during training with forgiveness over the 36-month period, a trooper will agree to reimburse the State only if they leave State employment prior to the agreed upon contract period of 36 months. Covered law enforcement employers who hire a trooper who is still under contract requirements will be liable to the State for training costs in the amount of \$36,000.

The changes became effective for the 2018-2019 fiscal year.

S335 - Budget Technical Corrections & Study.

Sec 8.3: Certain State Agencies/Classification and Salary Administration Flexibility/Pilot Program. (SL 2018-97)

Sec. 8.3 of S.L. 2018-97 amends Part XXXV adding a new Sec. 35.19A to S.L. 2018-5 allowing classification and salary administration flexibility for the 2018-2019 fiscal year for Council of State agencies, the Office of State Controller, the Community College System Office, and the University of North Carolina. The flexibility includes: classifying or reclassifying vacant positions within the current classification system; making hiring decisions based on the flexibility; and making salary adjustments provided that funding is available within the budgeted salary appropriated and provided the salary remains within the minimum and maximum of the salary range associated with the position classification. The Human Resources Director for each State agency must ensure that each new hire employed pursuant to this flexibility meets the minimum qualifications for the position.

By June 30, 2019, the above State agencies must submit post-implementation studies and supporting documentation to the Office of State Human Resources (OSHR).

By March 1, 2019, the above entities must report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the number of classification actions taken; salary adjustments made and total additional salary funds awarded; a comparison of the number of employees recruited from and agency employees hired by cabinet agencies; the impact of the flexibility on hiring time, recruitment, and retention; any remaining classification disagreements with OSHR; and recommendations on program extension and adjustments.

This section became effective July 1, 2018.