

# State Government

**See full summary documents for additional detail**

## **Treatment of Religious Institutions During a State of Emergency – Various Criminal and Election Law Changes.**

SL 2024-16 (H237), Sec. 3

Section 3 of S.L. 2024-16 prevents the executive branch or local governments from distinguishing between religious institutions and other entities during an emergency in a way that imposes additional limitations on religious institutions.

This bill was vetoed by the Governor on June 21, 2024, and the veto was overridden by the General Assembly on June 27, 2024.

This section becomes effective October 1, 2024, and applies to any emergency orders or regulations in effect on or after that date.

## **Office of State Human Resources/Various State Human Resources Act Changes.**

SL 2024-23 (H223)

S.L. 2024-23 makes various technical and clarifying changes to the State Human Resources Act and related statutes and does the following:

- Requires the State Human Resources Commission (Commission) to adopt rules or policies mandating that a closing date be posted for each job opening unless an exception for critical classifications has been approved by the Commission or through a special exception through the Office of State Human Resources.
- Clarifies that a potential State or local government supervisor can inspect confidential information in a personnel file to prevent application fraud.
- Removes the requirement that job openings be filled no sooner than 21 days after listing.
- Grants the Commission the authority to adopt temporary rules and permanent rules to allow local agencies to hire and pay trainees for local government positions that are subject to the State Human Resources Act.
- Allows an applicant for State employment or a State employee to allege denial of National Guard preference and file for a contested case hearing after following the grievance appeal process.
- Makes clarifications to the statutes addressing fraudulent disclosure and willful nondisclosure on an application for State employment and the laws governing the Temporary Solutions Program.
- Permits the Department of Health and Human Services (DHHS) to directly hire temporary employees into vacant positions if certain criteria are met and requires DHHS to report on the number and types of positions filled under this temporary authority by July 1, 2025. This section expires 180 calendar days from the date of enactment.

Except as otherwise provided, this act became effective June 28, 2024.

### **SHALOM (Standing Up to Hate and Leading with Our Moral Principles) Act.**

SL 2024-27 (H942)

S.L. 2024-27 adopts a definition of antisemitism as a tool and guide for recognizing, combating, tracking, and reporting antisemitic incidents in North Carolina, and informing related training and education.

This act became effective July 1, 2024.

### **Establish Annual Great Trails State Day – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 16

Section 16 of S.L. 2024-32 designates the third Saturday of October of each year, beginning in 2024, as North Carolina Great Trails State Day. The North Carolina Great Trails State Coalition (Coalition) is designated as the lead organization for recognition of North Carolina Great Trails State Day and is directed to develop a plan to raise awareness of, promote, and implement the first annual North Carolina Great Trails State Day. The Coalition includes 107 members, including nonprofit organizations, local governments, and private companies. The Coalition must report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources no later than September 30, 2024, regarding its plan to raise awareness of and promote the first annual North Carolina Great Trails State Day.

This section became effective July 3, 2024.

### **Amend Composition of the North Carolina Sentinel Landscapes Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 17

Section 17 of S.L. 2024-32 makes the following changes to the North Carolina Sentinel Landscapes Committee:

- Adds two voting members: the Secretary of Transportation or the Secretary's designee, and a representative of the North Carolina Sentinel Landscapes Partnership.
- Adds two nonvoting ex officio members: the Eastern North Carolina Sentinel Landscapes Coordinator and a representative from the United States Department of Defense Readiness and Environmental Protection Integration Program.
- Makes the Commissioner of Agriculture or the Commissioner's designee the permanent chair of the Sentinel Landscapes Committee.

This section became effective July 3, 2024.

## **Add One Member to the Community Conservation Assistance Program Advisory Committee – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 18

Section 18 of S.L. 2024-32 adds the Extension Administrator of the Cooperative Extension Service at North Carolina Agricultural and Technical State University (NC A&T State University) or the Extension Administrator's designee as the sixteenth member of the Community Conservation Assistance Program (CCAP) Advisory Committee.

The CCAP provides cost share funds to reduce the input of nonpoint source pollution into waters of the State. The CCAP Advisory Committee, which currently consists of 15 members, meets quarterly to review the progress of the CCAP.

This section became effective July 3, 2024.

## **Cooperative Extension Technical Changes – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 19

Section 19 of S.L. 2024-32 makes several technical changes to outdated references to North Carolina State University and adds references to the Cooperative Extension Service at North Carolina Agricultural and Technical State University (NC A&T State University). Section 19 also adds a new member to the Structural Pest Control Committee to be appointed by the Dean of the College of Agriculture and Environmental Sciences at NC A&T State University.

This section became effective July 3, 2024.

## **Board of Crop Seed Improvement and Seed Board Amendments – North Carolina Farm Act of 2024.**

SL 2024-32 (S355), Sec. 20

Section 20 of S.L. 2024-32 does all of the following:

- Requires the Board of Crop Seed Improvement to cooperate with North Carolina Agricultural and Technical State University (NC A&T State University) to foster and promote the development and distribution of pure strains of crop seeds among North Carolina farmers.
- Adds two members to the Board of Crop Seed Improvement:
  - Dean of the College of Agriculture and Environmental Sciences at NC A&T State University.
  - Associate Dean of Agriculture Research of the College of Agriculture and Environmental Sciences at NC A&T State University.
- Adds four members to the Seed Board:

- One appointed upon the recommendation of the Associate Dean of Agriculture Research at NC A&T State University.
- One appointed upon the recommendation of the Extension Administrator of the North Carolina Cooperative Extension Service, NC A&T State University.
- Two at-large members appointed by the Commissioner of Agriculture.

This section became effective July 3, 2024.

### **Various General Local Laws.**

SL 2024-38 (H593)

S.L. 2024-38 does the following:

- Provides an additional civil penalty for violating motor vehicle restrictions on a designated road segment in Macon County, effective December 1, 2024.
- Amends certain regulations applicable to sanitary districts, effective July 8, 2024.
- Clarifies funds allocated to certain localities, effective July 8, 2024.
- Requires the State, effective July 8, 2024, to transfer certain real property to the City of Monroe.

### **Charter Schools/Pension/Employee Stock Ownership Plan.**

SL 2024-42 (S559)

S.L. 2024-42 allows four specified charter school boards of directors to elect participation in the North Carolina State Health Plan for Teachers' and State Employees' (SHP); amends the law to create additional flexibility for charter schools to elect participation in the SHP; makes conforming and effective date changes for the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund; addresses parental leave for charter school employees; and clarifies the definition of an historically underutilized business as it relates to an Employee Stock Ownership Plan. See below for additional information and effective dates.

- Section 1 of S.L. 2024-42 notwithstanding the time limitation in current law (G.S. 135-48.54) to allow the board of directors for the following charter schools to elect to participate in the N.C. State Health Plan: NC Leadership Academy in Forsyth County, Alpha Academy in Cumberland County, Durham Charter in Durham County, and United Community School in Mecklenburg County. This section became effective July 8, 2024.
- Section 2 of the act amends the law (G.S. 135-48.54) regarding the process for a charter school operated by a private nonprofit corporation or operated by a municipality to elect participation in the State Health Plan. These charter schools can elect to become a participating employer in the State Health Plan through the following two methods: (i) the board of directors of the charter school can elect to participate no later than two years from the date both parties have signed the written charter (under G.S. 115C-218.15); or (ii) the board of directors can elect to participate any time after that two-year mark if the board files an application with the Board of Trustees for participation in the

Plan and the Board approves the application. The approval or denial of the application must be made within 180 days of receipt of a complete application and if approved the written notification of approval must provide the date for the charter school employees to be enrolled. This section became effective 30 days after the act became law on July 8, 2024.

- Section 3 of the act amends the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund (FFRSWP Fund) as follows:
  - Section 3(a) amends the retroactive membership law for the FFRSWP Fund effective January 1, 2025, to increase the membership dues from \$10 to \$15 per month for retroactive membership. This change conforms to the dues increase contained in S.L. 2024-29. This section became effective July 8, 2024.
  - Section 3(b) of the act amends Section 11.3 of S.L. 2024-29, effective January 1, 2025, to change the date from July 1, 2024, to January 1, 2025, that an eligible retired firefighter or rescue squad worker receives a \$175 per month pension. This section became effective July 8, 2024.
  - Section 3(c) of the act applies to Sections 11.1 through 11.3 of S.L. 2024-29, as amended by Section 3(b) and Section 3(a) of this act, to provide that these sections apply to membership contributions to the FFRSWP Fund on or after January 1, 2025. Any membership contribution payments made on or before March 31, 2025, for service in the 2024 calendar year, will be \$10 per month. These sections apply to pension benefit amounts payable from the FFRSWP Fund to a member or beneficiary on or after January 1, 2025. If a member or beneficiary becomes eligible to receive a pension benefit from the FFRSWP Fund on or before December 31, 2024, but the benefit amount is paid on or after January 1, 2025, the pension amount due to the member or beneficiary is the amount applicable to the pension benefit amount that was effective for each respective month to which the benefit applies. This section became effective July 8, 2024.
  - Section 3(d) of the act changed the effective date to January 1, 2025, for Sections 11.1 through 11.3 of S.L. 2024-29. This section became effective July 8, 2024.
- Section 4 of the act allows boards of directors of charter schools that contract with education management organizations (EMOs) or charter management organizations (CMOs) to require the EMOs or CMOs to provide paid parental leave to the teachers they employ for the charter schools. This leave must be consistent with the parental leave provided to public school teachers employed by local boards of education. If a board of directors requires the EMO or CMO to provide the parental leave by contract, then the board of directors is eligible to receive funds for substitute teachers. This section became effective July 8, 2024, and applies beginning with the 2024-2025 school year.
- Section 5 of the act amends the term "historically underutilized business" (G.S. 143-128.4) regarding an Employee Stock Ownership Plan (ESOP). For an ESOP company to qualify for certification as an historically underutilized business, at least 51% of the company's plan participants must be members of at least one of the following groups listed and defined in G.S. 143-128.4(b): Black, Hispanic, Asian American, American Indian, Female, Disabled, Disadvantaged. Further, an ESOP company seeking to be certified as an historically underutilized business must provide an attestation that it meets the requirements for certification and provide supporting documentation as may be required by the Secretary

of Administration. This section became effective July 1, 2024. (Note: The content of this section was also enacted in Section 5 of S.L. 2024-44 with the same effective date.)

### **C-PACE Program.**

SL 2024-44 (S802)

S.L. 2024-44:

- Establishes the commercial property assessed capital expenditure program (C-PACE Program), to be administered by the Economic Development Partnership of North Carolina (EDPNC) under the supervision of the Department of Commerce, providing a procedure by which owners of qualifying commercial property can apply to EDPNC for long-term financing to be provided by private lenders that will pay for property improvements that include energy efficiency, water conservation, renewable energy, and resilience measures, with repayment of the financed amount secured by a lien upon the improved property.
- Modifies the criteria under which an employee stock ownership (ESOP) company can qualify as a minority business or an historically underutilized business for purposes of public contract provisions in Chapter 143 of the General Statutes.
- Requires the Department of Environmental Quality and the Environmental Management Commission, no later than August 1, 2024, to develop and submit draft rules to the United States Environmental Protection Agency (USEPA) for USEPA's approval that establish methodologies and permitting requirements for the discharge of low-risk treated domestic wastewaters following site specific criteria to surface waters of the State.

The provisions regarding development of rules for wastewater discharge became effective July 8, 2024. The remainder of the act became effective July 1, 2024.

### **Amend Effective Dates for Rules Submitted to the Codifier of Rules by Certain Agencies Exempt From the Standard Rulemaking Process – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 6

Section 6 of S.L. 2024-45 provides that any rules adopted by State agencies that are exempt from the standard rulemaking requirements under the Administrative Procedure Act, including the State Bar, become effective on the first day of the month following submission to the Codifier of Rules for publication in the North Carolina Administrative Code.

This section became effective July 9, 2024.

## **Delivery of Permits Issued by State Agencies – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 22.1

Section 22.1 of S.L. 2024-45 requires executive branch, county, and city agencies to establish a policy to send permits issued by the agency using certain methods instead of requiring the permittee to receive in-person delivery at an office or physical location.

This section became effective July 9, 2024.

## **Eliminate Annual Report on State Employees Who Have Been Work First Recipients – Regulatory Reform Act of 2024.**

SL 2024-45 (S607), Sec. 31

Section 31 of S.L. 2024-25 eliminates the requirement that the Director of the Budget annually report to the General Assembly on the number of State employees who are Work First Program recipients.

This section became effective July 9, 2024.

## **Notary Public Changes – Tenancy in Common/E-Notary/Small Claims Changes.**

SL 2024-47 (H556), Sec. 2-6

Sections 2-6 of S.L. 2024-47 extend the expiration dates on emergency video notarizations and emergency video witnessing from June 30, 2024, to July 1, 2025, and amend confidentiality and geolocation technology requirements in North Carolina's notary public laws.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Sections 3, 4, and 5 of this act became effective July 1, 2024. Sections 2 and 6 became effective September 9, 2024.