

Vetoed Legislation

See full summary documents for additional detail

Statutory Changes for Department of Public Instruction Funding in Arrears – Require ICE Cooperation & Budget Adjustments.

Ratified (H10), Sec. 6.2

OVERVIEW and ANALYSIS: Section 6.2 of House Bill 10 would remove statutory language that directed the State Board of Education (SBE) to allocate funds for the purpose of operating kindergarten in each local school administrative unit (LEA) based on the average daily membership for the best continuous three out of the first four school months of students in kindergarten during the last school year in the LEA. In addition, the section would remove statutory language that states that an LEA would not become ineligible for funding if either the highest of the first two months' total projected average daily membership for the current year or the higher of the first two months' total prior year average daily membership would have otherwise made the LEA eligible for a small county allotment.

This section would further provide that eligibility for funding is based on the allotted average daily membership of the LEA and that the initial allocation would be based on the allotted daily membership of the LEA and would not be adjusted for current year actual average daily membership.

Finally, the section would make appropriations changes for the 2024-2025 fiscal year to accommodate the transition to an arrears based funding model as well as changes in average salaries, special population headcounts, and other technical adjustments.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

Retroactive Payments for Scholarship Funds – Require ICE Cooperation & Budget Adjustments.

Ratified (H10), Sec. 6.5A

Section 6.5A would direct the North Carolina State Education Assistance Authority (NCSEAA) to distribute additional funds for Opportunity Scholarship and Personal Education Student Account for Children with Disabilities (PESA) awards as soon as practicable. To be eligible for an award, a student would have to meet the following criteria:

- Have submitted an application for the 2024-2025 school year by March 1, 2024.
- Be otherwise eligible to receive a scholarship award but have not yet received an award. A student who received a PESA award for the fall semester and is also eligible to receive an Opportunity Scholarship award would receive an Opportunity Scholarship award for the spring semester only.

- Be enrolled in an eligible nonpublic school by October 1, 2024, and remain continuously enrolled in the same school for the spring semester.

Section 6.5A would also require nonpublic schools receiving scholarship funds from NCSEEA on behalf of an eligible student to directly reimburse any tuition and fees paid by the student's parent or guardian, up to the amount disbursed by NCSEEA, within 60 days of receiving the scholarship funds. The nonpublic school would be responsible for arranging the method of reimbursement with the parent or guardian.

Section 6.5A would make the following changes to reporting requirements:

- For the 2024-2025 fiscal year, NCSEEA would report the nonpublic schools in which scholarship grant recipients are enrolled and award amounts per recipient to the Department of Public Instruction (DPI) by April 1, 2025.
- For the 2024-2025 fiscal year, the Department of Public Instruction would report to the Joint Legislative Education Oversight Committee (JLEOC) on the cumulative difference between the scholarship grant award amount for each prior public school attendee enrolled in a nonpublic school and the average State per pupil allocation by June 1, 2025.
- No later than April 1, 2025, NCSEEA would report to JLEOC on any reasons eligible students did not receive an award of scholarship funds for the fall semester of the 2024-2025 school year and the number of students impacted by each reason.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

Require Sheriffs to Cooperate with ICE – Require ICE Cooperation & Budget Adjustments.

Ratified (H10), Sec. 9.1

Section 9.1 of House Bill 10 would do the following:

- Require that Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE) be queried when an individual charged with certain offenses is in custody and that person's legal residency or United States citizenship status is undetermined.
- Require a judicial official to order that a prisoner subject to a detainer and administrative warrant be held in custody until ICE resolves the request or 48 hours, whichever occurs first.
- Appropriate \$278,994 in recurring funds to hire two full-time jail inspectors.

HB 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

Completing Access to Broadband Program Changes – Require ICE Cooperation & Budget Adjustments.

Ratified (H10), Sec. 10.1

Section 10.1 of House Bill 10 would make certain changes to the Completing Access to Broadband (CAB) Program, which include:

- Directing the Department of Information Technology (DIT) to utilize up to \$190 million of funds appropriated to the CAB Program, to provide the county project cost responsibility for the 37 counties that had committed, as of May 1, 2024, to participate in the CAB Program and provide the county's cost share match.
- Requiring broadband service providers selected for a project under the CAB Program to provide at least 30% of the total estimated project cost.
- Eliminating the requirement that county governments provide at least 35% of the total estimated project costs.
- Eliminating the requirement that county governments provide DIT its portion of total estimated project costs upon executing an agreement with a broadband service provider.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

BEAD Deployment – Require ICE Cooperation & Budget Adjustments.

Ratified (H10), Sec. 10.2

Section 10.2 of House Bill 10 would make various changes to the laws that relate to broadband deployment and the Department of Information Technology (DIT), which include:

- Establishing the Growing Rural Economies with Access to Technology for Broadband Equity, Access, and Deployment Fund (GREAT 3.0 Fund), as a special revenue fund in DIT, to pay for infrastructure costs of projects designed to extend broadband service to unserved and underserved areas and to community anchor institutions.
- Directing the Broadband Infrastructure Office in DIT to implement a competitive subgrantee selection process in conformance with the Broadband Equity, Access, and Deployment (BEAD) Program from the Infrastructure Investment and Jobs Act (P.L. 117-58).
- Requiring DIT to submit annual and periodic reports concerning the implementation of the GREAT 3.0 Program to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division.
- Appropriating to DIT up to \$23 million in federal funds received for digital literacy from the State Digital Equity Capacity Grant Program under the Infrastructure Investment and Jobs Act (P.L. 117-58), to be used in accordance with the North Carolina Digital Equity Plan.
- Eliminating the sunset provision for the Broadband Pole Replacement Program, which is set to expire on December 31, 2024.

House Bill 10 was ratified by the General Assembly on September 11, 2024, and vetoed by the Governor on September 20, 2024.

North Carolina Department of Transportation Legislative Changes.

SL 2024-15 (H198)

S.L. 2024-15 makes various changes to transportation laws and laws that relate to the North Carolina Department of Transportation.

This bill was vetoed by the Governor on May 23, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This act has various effective dates. Please see the full summary for more detail.

Increase Frequency of Tax Revenue Transfer to Highway Fund – North Carolina Department of Transportation Legislative Changes.

SL 2024-15 (H198), Sec. 18

Section 18 of S.L. 2024-15 increases from quarterly to monthly the frequency of transfers from the General Fund to the Highway Fund of proceeds collected from the State general rate of sales tax.

This bill was vetoed by the Governor on May 23, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This section of the act became effective July 1, 2024.

Mask Exemption Modifications – Various Criminal and Election Law Changes.

SL 2024-16 (H237), Sec. 1

Section 1 of S.L. 2024-16 modifies the health and safety exemption from certain laws prohibiting the wearing of certain face coverings in public.

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

Section 1 of S.L. 2024-16 became effective June 27, 2024, and applies to offenses committed on or after that date.

Enhance Punishment if the Defendant was Wearing a Mask – Various Criminal and Election Law Changes.

SL 2024-16 (H237), Sec. 2

Section 2 of S.L. 2024-16 enhances the criminal punishment if a defendant wears a mask to conceal the defendant's identity during the commission of another crime.

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

Section 2 of S.L. 2024-16 became effective June 27, 2024, and applies to offenses committed on or after that date.

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.

Increase Penalty for Impeding Road During a Demonstration – Various Criminal and Election Law Changes.

SL 2024-16 (H237), Sec. 4

Section 4 of S.L. 2024-16 imposes criminal and civil liability on individuals who obstruct emergency vehicles during demonstrations.

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

Section 4 of S.L. 2024-16 becomes effective December 1, 2024, and applies to offenses committed and causes of action arising on or after that date.

Various Criminal and Election Law Changes.

SL 2024-16 (H237)

Section 5 of S.L. 2024-16, effective June 27, 2024, and applicable to contributions made or received on or after that date, restructures the reporting requirements for contributions made to candidate campaign committees and political committees in North Carolina by federal political committees and other political organizations. This bill was vetoed by the Governor on June 21, 2024, and the veto was overridden by the General Assembly on June 27, 2024.

Juvenile Justice Modifications.

SL 2024-17 (H834)

S.L. 2024-17 does the following:

- Modifies the definition of "delinquent juvenile" related to juveniles who are 16 and 17 years old to exclude any offense punishable as a Class A, B1, B2, C, D, or E felony if committed by an adult.
- Modifies the transfer process for juvenile cases from juvenile to superior court by creating a new indictment return appearance.
- Modifies certain laws to create a new process for removal of a case from superior court to juvenile court.
- Modifies the laws regarding notification of a delinquent juvenile's school and how the school can use that information.
- Changes the timing requirement for subsequent secured custody hearings for juveniles.
- Makes technical changes and a modification to certain dispositional alternatives.
- Increases the punishment for an adult who solicits a minor to commit a crime.
- Modifies the number of days the complainant and the victim have to request a review by the prosecutor of the juvenile court counselor's decision not to approve the filing of a petition.

This bill was vetoed by the Governor on June 14, 2024, and that veto was overridden by the General Assembly on June 27, 2024. This act has various effective dates. Please see the full summary for more detail.

Titles for Off-Road Vehicles/Low-Speed Vehicle Inspections.

SL 2024-46 (H155)

S.L. 2024-46 does the following:

- Authorizes the Division of Motor Vehicles to issue certificates of title for all-terrain vehicles and utility vehicles.
- Removes travel-lane based operation limitation on modified utility vehicles.
- Authorizes off-site safety inspections of low-speed vehicles by licensed safety inspection stations.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This act has various effective dates. Please see full summary for more details.

Tenancy in Common/E-Notary/Small Claims Changes.

SL 2024-47 (H556)

Section 1 of S.L. 2024-47 codifies common law rules governing concurrent ownership of real property as tenants in common.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Section 1 of the act became effective September 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.

Preemption of Local Regulations – Tenancy in Common/E-Notary/Small Claims Changes.

SL 2024-47 (H556), Sec. 7

Section 7 of S.L. 2024-47 prohibits counties and cities from adopting certain ordinances or resolutions that would prohibit landlords from refusing to rent to a tenant because the tenant's lawful source of income to pay rent includes funding from a federal housing assistance program.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This section of the act became effective September 9, 2024.

Summary Ejectment and Small Claims Action Changes – Tenancy in Common/E-Notary/Small Claims Changes.

SL 2024-47 (H556), Secs. 8-9

Sections 8 and 9 of S.L. 2024-47 do the following:

- Clarify authorized litigation costs in summary ejectment matters.
- Provide that judgment in a small claim action can be rendered electronically by the magistrate.
- Begin the appeal period in a small claim action when a judgment is rendered by the magistrate.

This bill was vetoed by the Governor on July 3, 2024, and that veto was overridden by the General Assembly on September 9, 2024. Section 8 of this act became effective September 9, 2024, and the amendments contained in this section are intended to be clarifying of the General Assembly's intent under previous amendments to this statute. Section 9 of this act becomes effective October 1, 2024, and applies to judgments rendered on or after that date.

No Central Bank Digital Currency Payments to the State.

SL 2024-48 (H690)

S.L. 2024-48 prohibits a State agency or the General Court of Justice from accepting a payment using central bank digital currency, or from participating in any test of central bank digital currency by any Federal Reserve branch.

This bill was vetoed by the Governor on July 5, 2024, and that veto was overridden by the General Assembly on September 9, 2024. This act became effective September 9, 2024.

2024 Building Code Regulatory Reform.

SL 2024-49 (S166)

Session Law 2024-49 amends various development regulations, amends various North Carolina State Building Codes, amends various construction contractors and design professionals' regulations, amends various environment and environmental health regulations, and reorganizes the Building Code Council.

This bill was vetoed by the Governor on July 5, 2024, and that veto was overridden by the General Assembly on September 11, 2024. This act has various effective dates. Please see the full summary for more details.

Recording of Court-Filed Documents.

Ratified (S445)

SB 445 would do the following:

- Exempt any certified copy of a court-filed document from formatting requirements applicable to paper documents presented to a register of deeds for registration.
- Begin the small claims appeal period when a judgment is rendered.
- Require written findings of indigency in small claims appeals.
- Modify criteria for plaintiff's motion to dismiss summary ejectment appeal.
- Require the clerk to disburse certain payments made during summary ejectment appeal within five days of request.
- Increase punishment for willful and wanton damage to the residential real property of another.
- Prohibit fraudulent rental, lease, or advertisement for sale of residential real property.

SB 445 was ratified by the General Assembly on June 28, 2024, and vetoed by the Governor on July 8, 2024. A majority of the Senate voted to override the veto on September 9, 2024.