

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10044-LM-32

Short Title: Define Armed Forces/Conforming Changes. (Public)

Sponsors: Representative Loftis.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE DEFINITION OF THE TERM "ARMED FORCES" OF THE
3 UNITED STATES TO INCLUDE THE NEWLY ESTABLISHED UNITED STATES
4 SPACE FORCE; TO MAKE CONFORMING CHANGES TO RELEVANT STATUTES
5 RELATED TO THE MILITARY; AND TO CHANGE THE NAME OF FORT BRAGG TO
6 FORT LIBERTY TO CONFORM WITH THE RENAMING OF THE MILITARY BASE
7 BY THE UNITED STATES DEPARTMENT OF DEFENSE.

8 The General Assembly of North Carolina enacts:

9
10 **PART I. "ARMED FORCES" TO INCLUDE UNITED STATES SPACE FORCE**

11 **SECTION 1.1.** G.S. 17C-10.1 reads as rewritten:

12 **"§ 17C-10.1. Certification of military service members and veterans with law enforcement**
13 **training and experience.**

14 ...

15 (g) As used in this section, the following terms mean:

16 (1) Branches of military service. – The United States Armed Forces: Air Force;
17 Army; ~~Marine~~; Marine Corps; Navy; Space Force; active, reserve, Air/Army
18 National Guard components; and the Coast Guard.

19"

20 **SECTION 1.2.** G.S. 58-58-335 reads as rewritten:

21 **"§ 58-58-335. Definitions.**

22 As used in this Part:

23 ...

24 (1a) "Armed Forces" means all components of the United States Army, Navy, Air
25 Force, Marine Corps, Space Force, and Coast Guard.

26"

27 **SECTION 1.3.** G.S. 116-143.3 reads as rewritten:

28 **"§ 116-143.3. Tuition of qualifying federal services members and their spouses and**
29 **dependents.**

30 (a) Definitions. – The following definitions apply in this section:

31 ...

32 (2) Armed Forces. – The United States Air Force, Army, Coast Guard, Marine
33 Corps, Space Force, and Navy; the North Carolina National Guard; and any
34 reserve component of the foregoing.

35"

36 **SECTION 1.4.** G.S. 116-235 reads as rewritten:



* D R H 1 0 0 4 4 - L M - 3 2 *

1 "§ 116-235. Board of Trustees; additional powers and duties.

2 ...
3 (b) Students. –

4 (1) Admission of Students. – The School shall admit students in accordance with
5 criteria, standards, and procedures established by the Board of Trustees. To be
6 eligible to be considered for admission, an applicant must be either a legal
7 resident of the State, as defined by G.S. 116-143.1(a)(1), or a student whose
8 parent is an active duty member of the Armed Forces, as defined by
9 ~~G.S. 116-143.3(2)~~, G.S. 116-143.3(a)(2), who is abiding in this State incident
10 to active military duty at the time the application is submitted, provided the
11 student shares the abode of that parent; eligibility to remain enrolled in the
12 School shall terminate at the end of any school year during which a student
13 becomes a nonresident of the State. The Board of Trustees shall ensure,
14 insofar as possible without jeopardizing admission standards, that an equal
15 number of qualified applicants is admitted to the program and to the
16 residential summer institutes in science and mathematics from each of North
17 Carolina's congressional districts. In no event shall the differences in the
18 number of qualified applicants offered admission to the program from each of
19 North Carolina's congressional districts be more than two and one-half
20 percentage points from the average number per district who are offered
21 admission.

22"

23 SECTION 1.5. G.S. 143B-1224 reads as rewritten:

24 "§ 143B-1224. Definitions.

25 As used in this Part the terms defined in this section shall have the following meaning:

26 ...

27 (2) "Armed Forces" means the United States Army, Navy, Marine Corps, Air
28 Force, Space Force, and Coast Guard, including their reserve components.

29"

30
31 PART II. CONFORMING CHANGES

32 SECTION 2.1. G.S. 1-82 reads as rewritten:

33 "§ 1-82. Venue in all other cases.

34 In all other cases the action must be tried in the county in which the plaintiffs or the
35 defendants, or any of them, reside at its commencement, or if none of the defendants reside in
36 the State, then in the county in which the plaintiffs, or any of them, reside; and if none of the
37 parties reside in the State, then the action may be tried in any county which the plaintiff designates
38 in the plaintiff's summons and complaint, subject to the power of the court to change the place
39 of trial, in the cases provided by statute; provided that any person who has resided on or been
40 stationed in a United States Army, Navy, Marine Corps, Coast Guard, Space Force, or Air Force
41 installation or reservation within this State for a period of one (1) year or more next preceding
42 the institution of an action shall be deemed a resident of the county within which such installation
43 or reservation, or part thereof, is situated and of any county adjacent to such county where such
44 person stationed at such installation or reservation lives in such adjacent county, for the purposes
45 of this section. The term person shall include military personnel and the spouses and dependents
46 of such personnel."

47 SECTION 2.2. G.S. 14-395 is repealed.

48 SECTION 2.3. G.S. 45-21.12A reads as rewritten:

49 "§ 45-21.12A. Power of sale barred during periods of military service.

50 ...

51 (d) Definitions. – The following definitions apply in this section:

1 (1) Military service. –

2 a. In the case of a member of the United States Army, Navy, Air Force,
3 Marine Corps, Space Force, or Coast Guard:
4"

5 **SECTION 2.4.** G.S. 47-81.2 reads as rewritten:

6 **"§ 47-81.2. Before United States Army, etc., officers, and other service members.**

7 In all cases where instruments and writings have been proved or acknowledged before any
8 commissioned officer of the United States Army, Navy, Air Force, Marine Corps, Space Force,
9 or Coast Guard or any officer of the United States Merchant Marine having the rank of lieutenant,
10 senior grade, or higher, such proofs or acknowledgments, where valid in other respects, are
11 hereby ratified, confirmed and declared valid. All proofs or acknowledgments made by any
12 military personnel authorized by the Congress of the United States are hereby ratified, confirmed,
13 and declared valid and shall not require the affixation of a seal where valid in other respects."

14 **SECTION 2.5.** G.S. 50-18 reads as rewritten:

15 **"§ 50-18. Residence of military personnel; payment of defendant's travel expenses by
16 plaintiff.**

17 In any action instituted and prosecuted under this Chapter, allegation and proof that the
18 plaintiff or the defendant has resided or been stationed at a United States Army, Navy, Marine
19 Corps, Coast Guard, Space Force, or Air Force installation or reservation or any other location
20 pursuant to military duty within this State for a period of six months next preceding the institution
21 of the action shall constitute compliance with the residence requirements set forth in this Chapter;
22 provided that personal service is had upon the defendant or service is accepted by the defendant,
23 within or without the State as by law provided.

24"

25 **SECTION 2.6.** G.S. 50A-351 reads as rewritten:

26 **"§ 50A-351. Definitions.**

27 The following definitions apply in this Article:

28 ...

29 (18) Uniformed service. – Service which includes (i) the active and reserve
30 components of the United States Army, Navy, Air Force, Marine Corps, Space
31 Force, or Coast Guard of the United States; Guard; (ii) the Merchant Marine,
32 the commissioned corps of the Public Health Service, or the commissioned
33 corps of the National Oceanic and Atmospheric Administration of the United
34 States; or (iii) the National Guard."

35 **SECTION 2.7.** G.S. 88B-25 reads as rewritten:

36 **"§ 88B-25. Exemptions.**

37 The following persons are exempt from the provisions of this Chapter while engaged in the
38 proper discharge of their professional duties:

39 ...

40 (4) Commissioned medical or surgical officers of the United States Army, Air
41 Force, Navy, ~~Marine~~, Marine Corps, Space Force, or Coast Guard.

42"

43 **SECTION 2.8.** G.S. 115C-12 reads as rewritten:

44 **"§ 115C-12. Powers and duties of the Board generally.**

45 The general supervision and administration of the free public school system shall be vested
46 in the State Board of Education. The State Board of Education shall establish all needed rules
47 and regulations for the system of free public schools, subject to laws enacted by the General
48 Assembly. In accordance with Sections 7 and 8 of Article III of the North Carolina Constitution,
49 the Superintendent of Public Instruction, as an elected officer and Council of State member, shall
50 administer all needed rules and regulations adopted by the State Board of Education through the

1 Department of Public Instruction. The powers and duties of the State Board of Education are
2 defined as follows:

3 ...
4 (18) Duty to Develop and Implement a Uniform Education Reporting System,
5 Which Shall Include Standards and Procedures for Collecting Fiscal and
6 Personnel Information. –

7 ...
8 f. The State Board of Education shall develop a process for local school
9 administrative units to annually identify enrolled military-connected
10 students using the Uniform Education Reporting System. The
11 identification of military-connected students shall not be used for the
12 purposes of determining school achievement, growth, and
13 performance scores as required by G.S. 115C-12(9)c1. The
14 identification of military-connected students is not a public record
15 within the meaning of G.S. 132-1 and shall not be made public by any
16 person, except as permitted under the provisions of the Family
17 Educational and Privacy Rights Act of 1974, 20 U.S.C. § 1232g. For
18 purposes of this section, a "military-connected student" means a
19 student enrolled in a local school administrative unit who has a parent,
20 step-parent, sibling, or any other person who resides in the same
21 household serving in the active or reserve components of the United
22 States Army, Navy, Air Force, Marine Corps, Coast Guard, Space
23 Force, or National Guard. Beginning in the 2016-2017 school year,
24 and annually thereafter, the identification of military-connected
25 students for all local school administrative units shall be completed by
26 January 31 of each school year.

27"

28 **SECTION 2.9.** G.S. 143B-1311 reads as rewritten:

29 **"§ 143B-1311. Membership.**

30 ...
31 (b) The voting members of the Commission shall be appointed as follows:
32 (1) Thirteen members appointed by the Governor, consisting of:

33 ...
34 h. One person who is a resident of North Carolina with a long-term
35 connection to the State and who is a current or retired member of a
36 reserve component of the United States Air Force, Army, Navy, Space
37 Force, or ~~Marines~~ Marine Corps and who is involved in a military
38 affairs organization or involved in military issues through civic,
39 commercial, or governmental relationships.

40"

41 **SECTION 2.10.** G.S. 163-258.2 reads as rewritten:

42 **"§ 163-258.2. Definitions.**

43 As used in this Article:

44 ...
45 (6) "Uniformed service" means any of the following:
46 a. Active and reserve components of the United States Army, Navy, Air
47 Force, Marine Corps, Space Force, and ~~Coast Guard of the United~~
48 States Guard.

49 ...
50 (7) "Uniformed-service voter" means an individual who is qualified to vote and
51 is one of the following:

- a. A member of the active or reserve components of the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard of the United States who is on active duty.
-"

PART III. RENAME FORT BRAGG AS FORT LIBERTY

SECTION 3.1. G.S. 104-7 reads as rewritten:

"§ 104-7. Acquisition of lands by the United States for customhouses, courthouses, post offices, forts, arsenals, or armories; cession of jurisdiction; exemption from taxation.

(a) The consent of the State is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the Constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in the State that either is:

- ...
- (2) To be added to Fort ~~Bragg, Liberty~~, Pope Air Force Base, Camp Lejeune, New River Marine Corps Air Station, Seymour Johnson Air Force Base, Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny Point, or the United States Coast Guard Air Station at Elizabeth City. Any of the land to be added to a military base named in this subdivision shall be contiguous to and within a 25-mile radius of the military base for which the property is acquired.

...."

SECTION 3.2. G.S. 143-151.71 reads as rewritten:

"§ 143-151.71. Definitions.

Within the meaning of this Article:

- ...
- (5) "Major military installation" means Fort ~~Bragg, Liberty~~, Pope Army Airfield, Camp Lejeune Marine Corps Air Base, New River Marine Corps Air Station, Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny Point, the United States Coast Guard Air Station at Elizabeth City, Naval Support Activity Northwest, Air Route Surveillance Radar (ARSR-4) at Fort Fisher, and Seymour Johnson Air Force Base, in its own right and as the responsible entity for the Dare County Bombing Range, and any facility located within the State that is subject to the installations' oversight and control.

...."

SECTION 3.3. G.S. 143-215.115 reads as rewritten:

"§ 143-215.115. Definitions.

In addition to the definitions set forth in G.S. 143-212, the following definitions apply to this Article:

- (1) "Major military installation" means Fort ~~Bragg, Liberty~~, Pope Army Airfield, Marine Corps Base Camp Lejeune, New River Marine Corps Air Station, Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny Point, the United States Coast Guard Air Station at Elizabeth City, Naval Support Activity Northwest, Air Route Surveillance Radar (ARSR-4) at Fort Fisher, and Seymour Johnson Air Force Base, in its own right and as the responsible entity for the Dare County Bombing Range, and any facility located within the State that is subject to the installations' oversight and control.

...."

SECTION 3.4. G.S. 143B-1311 reads as rewritten:

"§ 143B-1311. Membership.

...

(b) The voting members of the Commission shall be appointed as follows:

(1) Thirteen members appointed by the Governor, consisting of:

...

d. One person residing near ~~Ft. Bragg, Fort Liberty~~, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

...

(2) Five members appointed by the Speaker of the House of Representatives, consisting of:

...

e. One person residing near ~~Ft. Bragg, Fort Liberty~~, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

(3) Five members appointed by the President Pro Tempore of the Senate, consisting of:

...

e. One person residing near ~~Ft. Bragg, Fort Liberty~~, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

...."

PART IV. EFFECTIVE DATE

SECTION 4.1. This act is effective when it becomes law.