

State Government

See full summary documents for additional detail

H253 - Justice Reinvestment Act Changes. (SL 2016-77)

S.L. 2016-77 makes changes to the authority of probation officers with respect to setting conditions of probation, post-release, and parolees, to further implement the Justice Reinvestment Act of 2011.

This act has various effective dates. Please see the full summary for more detail.

H357 - Chemical Analysis Reports/District Court. (SL 2016-10)

S.L. 2016-10 amends the procedures governing the admissibility of chemical analysis test results into evidence.

This act becomes effective October 1, 2016, and applies to trials commencing on or after that date.

H550 - Raleigh Apodaca Service Dog Retirement Act. (SL 2016-101)

S.L. 2016-101 allows ownership of retired State and local government service animals to be transferred to the service animal's handler or other designated persons, organizations, or programs under certain stated conditions.

This act becomes effective October 1, 2016.

H630 - Drinking Water Protection/Coal Ash Cleanup Act. (SL 2016-95)

S.L. 2016-95: (1) repeals all provisions related to the Coal Ash Management Commission in the General Statutes; (2) requires a coal combustion residuals impoundment owner to provide permanent alternative water supplies for residents in areas surrounding coal combustion residuals surface impoundments; (3) allows reconsideration of risk classifications for coal combustion residuals surface impoundments based on fulfillment of certain criteria; and (4) modifies appointments and other provisions governing the Mining Commission and the Oil and Gas Commission.

This act became effective July 14, 2016.

H805 - Measurability Assessments/Budget Technical Corrections.

Sec. 1: Measurability Assessment. (SL 2016-123)

Sec. 1 of S.L. 2016-123 creates the "North Carolina Measurability Assessment Act of 2016"(Act), which provides that the General Assembly may require a measurability assessment of any proposed or existing State program to determine whether the program is or will be capable or reporting performance and return on investment. The Act prescribes the required components of a measurability assessment for State programs under review. The Program Evaluation Division (Division) must use a competitive process to prequalify independent measurability assessors and must also establish standards for assessor qualifications, independence, and conducting and reporting assessments. When a measurability assessment is required by the General Assembly, the Act directs the Division to select the assessor and require the agency or institution to reimburse the Division for assessor's costs and for a share of the Division's costs for administering the program under the Act.

This section becomes effective October 1, 2016.

H805 - Measurability Assessments/Budget Technical Corrections.

Sec. 10.2: Third Party Leasing. (SL 2016-123)

Sec. 10.2 of S.L. 2016-123 authorizes the Department of Administration to lease the 1.7 acre Personnel Training Center property located on Peace Street in Wake County to a third party for a term of up to 99 years.

This section became effective July 1, 2016.

H970 - State Controller/Criminal Record Checks. (SL 2016-28)

S.L. 2016-28 authorizes criminal record checks for any current or prospective employees, volunteers, or contractors of the Office of State Controller.

This act became effective June 22, 2016.

H971 - Motor Fleet Clarification. (SL 2016-29)

S.L. 2016-29 provides that the Department of Administration may contract with private vendors for short-term rental vehicles for use by officers and employees of State agencies for State business.

This act became effective June 22, 2016.

H972 - Law Enforcement Recordings/No Public Record. (SL 2016-88)

S.L. 2016-88 does the following with respect to recordings made by law enforcement agencies:

- Provides that they are not public records.
- Establishes whether, to whom, and what portions of a recording may be disclosed or a copy released.
- Establishes the procedure for contesting a refusal to disclose a recording or to obtain a copy of a recording.
- Directs State or local law enforcement agencies to provide, upon request, access to a method to view and analyze recordings to the State Bureau of Investigation (SBI) and the North Carolina State Crime Laboratory (State Crime Lab).

Effective July 11, 2016, the act authorizes governmental and nongovernmental organizations to establish and operate hypodermic syringe and needle exchange programs and provides limited immunity from criminal prosecution to employees, volunteers, and participants of authorized hypodermic syringe and needle exchange programs.

The provisions of the act related to the disclosure and release of recordings made by law enforcement agencies become effective October 1, 2016, and apply to all requests made on or after that date for the disclosure or release of a recording.

H1030 - 2016 Appropriations Act.

Sec. 6.1: Establishing or Increasing Fees. (SL 2016-94)

Sec. 6.1 of S.L. 2016-94 provides that:

- An agency is not required to consult with the Joint Legislative Commission on Governmental Operations prior to establishing or increasing a fee to the level authorized or anticipated in the Appropriations Act of 2016.
- An agency may adopt an emergency rule to establish or increase a fee as authorized by the Appropriations Act of 2016, if the adoption of a rule would otherwise be required by law.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 6.3: Budget Stability and Continuity. (SL 2016-94)

Sec. 6.3 of S.L. 2016-94, as amended by Sec. 2.2 of S.L. 2016-123, provides authority for the Director of the Budget to continue to spend State funds in the event that a fiscal year begins for which no budget has yet become law. This section authorizes the Director to continue to spend State funds at the recurring amount authorized to be spent during the prior fiscal year, freezes State employee salaries, and halts statutory transfers to certain statewide reserves. This section provides that once a budget becomes law, total expenditures must be adjusted to give effect to the enacted budget.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 6.6: Exempt Golden L.E.A.F. (Long Term Economic Advancement Foundation) From Certain Grant Requirements. (SL 2016-94)

Sec. 6.6 of S.L. 2016-94 exempts certain funds annually appropriated to the Golden L.E.A.F (Long Term Economic Advancement Foundation), Inc. from provisions of the State Budget Act that govern the administration of grants, in order to eliminate duplicative or nearly-duplicative administrative obligations on the use of these funds.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 15.1: Use of Deobligated Community Development Block Grant and Federal Funds. (SL 2016-94)

Sec. 15.1 of S.L. 2016-94 directs the Department of Commerce to report:

- Its proposed broadband initiative and its proposed use of deobligated Community Development Block Grant (CDBG) funds to support that initiative.
- On the feasibility of using CDBG funds, including deobligated CDBG funds, to establish a program to assist with economic development of commercial oyster fisheries in coastal communities.
- On the feasibility of using CDBG funds, including deobligated CDBG funds, to create a program to provide a source of funding and assistance for small food retailers operating in the State in low-income areas to improve access to healthy foods.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 15.2: Modify Disbursement Process from Economic Development Reserves. (SL 2016-94)

Sec. 15.2 of S.L. 2016-94 eliminates the reserve accounts at the Office of State Management and Budget from which the Job Development Investment Grant Program and One North Carolina Fund obligations were paid, in favor of having the accounting of those obligations housed directly in the Department of Commerce. This section provides that funds remaining in the respective reserves as of June 30, 2016, are transferred to the Department of Commerce for the corresponding economic development program.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 15.5: Extend Reporting Deadline for Broughton Hospital Study. (SL 2016-94)

Sec. 15.5 of S.L. 2016-94:

- Extends the deadline for the final report of the Broughton Hospital Study from June 30, 2015, to June 30, 2016.
- Designates the Department of Commerce as the lead agency with respect to the study, as well as the site control and disposition strategies, working closely with the Department of Health and Human Services, the Department of Administration, the City of Morganton, and the County of Burke.
- Directs the Department of Commerce to submit a report detailing the expenditures associated with funds appropriated by the General Assembly for the Broughton Hospital campus economic development project, from the inception of the project.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 15.6: Travel and Tourism Board Changes. (SL 2016-94)

Sec. 15.6 of S.L. 2016-94 changes the composition of the North Carolina Travel and Tourism Board from 29 to 19 members, alters the qualifications for several of the members, and makes conforming changes to appointment and term expiration dates.

This section became effective July 1, 2016. The changes to the composition and qualifications of the Board became effective July 1, 2016, and apply to appointments made on or after that date.

H1030 - 2016 Appropriations Act.

Sec. 15.7: Encourage Inter-Tier Cooperation for Job Development Investment Grants. (SL 2016-94)

Sec. 15.7 of S.L. 2016-94 modifies the general rule for Job Development Investment Grant projects that are located in multiple tiers, by providing that instead of using the standards applicable to the highest tier, the standards applicable to the lowest tier apply for purposes of the Industrial Development Fund Utility Account award percentage, if: (i) at least one location of the project is in a tier 1 or 2 area; (ii) at least one location of the project is in a tier 3 area; and (iii) at least 66% of the total jobs or benefits of the project go to the location in the lowest tier area.

This section becomes effective January 1, 2017, and applies to awards made on or after that date.

H1030 - 2016 Appropriations Act.

Sec. 15.8: Community Planners and Prosperity Zones. (SL 2016-94)

Sec. 15.8 of S.L. 2016-94 requires the Department of Commerce to add to the personnel co-located at the Collaboration for Prosperity Zones an additional employee at each zone responsible for assisting communities with economic and community development projects.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 15.10: International Recruiting Coordination Office. (SL 2016-94)

Sec. 15.10 of S.L. 2016-94 creates the International Recruiting Coordination Office (Office) within the Department of Commerce that is responsible for:

- Entertaining and providing for the hosting of international visitors to the State.
- Procuring customary and appropriate cultural gifts.
- Screening potential foreign investments.
- Coordinating with the Economic Development Partnership of North Carolina on international and domestic business marketing and advertising of the State.

The Office is directed to report on its expenditures and activities to several legislative committees by October 1 of each year.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 16.3: Umstead Act Conforming Changes. (SL 2016-94)

Sec. 16.3 of S.L. 2016-94 adds an exception to the Umstead Act's prohibition on State agencies providing goods or services that compete with the private sector for the Department of Natural and Cultural Resources. The exception, which broadens an existing exception for the Department, allows the North Carolina Zoological Park to lease a portion of its property to a private entity to construct and operate a hotel and related facilities.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 16.4: Clarify Vending Facilities Exemption. (SL 2016-94)

Sec. 16.4 of S.L. 2016-94 adds State Parks to an existing exemption for museums and historic sites operated by the Department of Natural and Cultural Resources from the requirement that the operation of food and vending services by State agencies be offered preferentially to blind persons. The provision also grandfathers from the exemption, any existing contract at a Department facility entered into prior to July 1, 2016.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 16.5: Grassroots Science Amendments. (SL 2016-94)

Sec. 16.5 of S.L. 2016-94 makes the following changes to the grassroots science museum grant program:

- Renames the program the "North Carolina Science Museums Grant Program."
- Provides that, for the 2016-2017 fiscal year, any museum receiving a grant in the prior fiscal year must be funded, assuming it continues to meet general eligibility criteria for the program.
- Allows any funds remaining at the end of the competitive grant funding process to be distributed equally to all museum applicants funded during that cycle without regard to the economic development tier-based funding caps.
- Grandfathers from the requirement that all applicants be a 501(c)(3) nonprofit, certain museums owned by local government entities that received funding in the 2015-2016 fiscal year.
- Includes in the eligibility criteria a requirement that applicants provide a proposal for use of the funds and the measures that will be used to demonstrate that the use of the funds has had the projected results.
- Authorizes the Department of Natural and Cultural Resources to create one new position to administer the grant program, provide assistance to grant applicants, and foster collaboration between the Museum of Natural Sciences and grant recipients.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 16.6: Modify Zoo and Aquarium Special Funds. (SL 2016-94)

Sec. 16.6 of S.L. 2016-94 makes the following changes to the budgetary special funds for the North Carolina Zoo and Aquariums:

- Clarifies that only receipts from admissions and facility rentals or leases must be credited to the facility's General Fund operating budget.
- Increases the amount that the Department of Natural and Cultural Resources (Department) may transfer from General Fund operating budget back to the special funds from \$1 million to \$1.5 million.

- Adds the following to the criteria for repair and renovation projects paid for from the special funds: (i) the funding must be appropriated by the General Assembly and (ii) the project does not require increased recurring funding for operations of the facilities.
- Amends the reporting requirements for the Aquariums to conform with the reporting requirements for other Department attractions.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 16.9: Update Symphony Contract. (SL 2016-94)

Sec. 16.9 of S.L. 2016-94 directs the North Carolina Symphony to review and update the contractual language used for contracts with nonsymphony performers and to report the changes made to the language as a result of the review to the Joint Legislative Commission on Government Operations by November 1, 2016.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 25.1: School Construction Needs Study. (SL 2016-94)

Sec. 25.1 of S.L. 2016-94 directs the Joint Legislative Program Evaluation Oversight Committee to amend the 2016-2017 Program Evaluation Division (PED) work plan to direct PED to contract with an outside entity to (i) perform an independent assessment of school construction needs and (ii) determine which of the local school administrative units have the highest facility needs in relation to their capacity to raise revenue to meet those needs. The section directs PED to report the results of this study to the Joint Legislative Program Evaluation Oversight Committee and the Joint Legislative Economic Development and Global Engagement Oversight Committee by March 15, 2017.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 32.1: Study E-Procurement Service. (SL 2016-94)

Sec. 32.1 of S.L. 2016-94 directs the Joint Legislative Oversight Committee on General Government to study the management of North Carolina's E-Procurement Service, including the amount of the vendor transaction fee charged to suppliers and the delay in implementation of an e-bidding module within the system. The Committee must report its findings, including any recommendations for proposed legislation, to the 2017 General Assembly.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 32.5: Transfer Functions of Youth Advocacy and Involvement Office to Council for Women/Transfer Youth Legislative Assembly. (SL 2016-94)

Sec. 32.5 of S.L. 2016-94, as amended by Sec. 8.3 of S.L. 2016-123, consolidates the North Carolina Council for Women and the Youth Advocacy and Involvement Office of the Department of Administration as the North Carolina Council for Women and Youth Involvement.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 32.6: Domestic Violence Center Fund/Develop New Grant Formula. (SL 2016-94)

Sec. 32.6 of S.L. 2016-94:

- Directs the North Carolina Council for Women (Council) in the Department of Administration, in consultation with the Domestic Violence Commission, to develop a new formula for awarding grants from the Domestic Violence Center Fund to eligible centers for victims of domestic violence.
- Requires the Council, by November 1, 2016, to report its findings and recommendations to the Joint Legislative Oversight Committee on General Government.
- Places a moratorium on grant awards to new grantees from the Domestic Violence Center Fund for the 2016-2017 fiscal year.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 35.1: Stabilization of Funding for the Ferry System/Priority Boarding. (SL 2016-94)

Sec. 35.1 of S.L. 2016-94 continues ferry tolling on currently tolled routes and, except for the new Hatteras-Ocracoke passenger route, prohibits future tolling of currently untolled routes. In addition, this section establishes recurring funding for vessel replacements and funds the initiation of the Hatteras-Ocracoke passenger service. Lastly, this section authorizes the Ferry Division to charge \$150 for priority boarding for vehicles providing commercial goods and services.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 35.9: Study/Off-Highway Parking for Tractor-Trailers and Semi-Trailers. (SL 2016-94)

Sec. 35.9 of S.L. 2016-94 requires The Department of Transportation, the Department of Public Safety, and the Department of Commerce, in consultation with the North Carolina Trucking Association, to study ways to provide additional off-highway parking to tractor-trailers and semi-trailers.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 37.5: Allow Repairs and Renovations Funds to Be Used for Building Demolition and Installation of Electrical, Plumbing, and Related Systems. (SL 2016-94)

Sec. 37.5 of S.L. 2016-94 clarifies that allocations of funds from the Reserve for Repairs and Renovations may be used for the installation of new electrical, plumbing, and related systems, and also authorizes funds allocated from that Reserve to be used for building demolition.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 37.7: Enhance Oversight of Certain Capital Projects. (SL 2016-94)

Sec. 37.7 of S.L. 2016-94:

- Prohibits State agencies from entering into leases of real property, either as lessor or lessee, for a period of more than 30 years unless the General Assembly has authorized the lease or unless certain exceptions apply.
- Prohibits State agencies from entering most leases as lessor that would require relocation of State functions or personnel if the agency to which the property is currently allocated possesses insufficient operating funds to cover the cost of both the relocation and the ongoing provision of State functions affected by the relocation.
- Imposes various reporting requirements related to the requirements of the section, and requires greater visibility for estimated operating costs of capital projects requested by State agencies.

This section became effective July 14, 2016, and applies to leases entered into or renewed, and to budgets recommended by the Director of the Budget, on or after that date.

H1030 - 2016 Appropriations Act.

Sec. 37.8: Limit the Ability of State Agencies or State Entities to Enter Into Debt or Debt-Like Arrangements Outside of the Purview of the General Assembly. (SL 2016-94)

Sec. 37.8 of S.L. 2016-94, as amended by Sec. 10.1 of S.L. 2016-123, prohibits State agencies from entering into any State-supported financing arrangement with respect to the acquisition of a capital asset having a value of \$5 million or more, unless the General Assembly has enacted legislation expressly approving (i) the acquisition, project, or undertaking to be financed and (ii) the use of the State supported financing arrangement.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 7.9: Data Center Consolidation Exemption for Cloud-Based Solutions. (SL 2016-94)

Sec. 7.9 of S.L. 2016-94 provides that a State agency may, with the advance approval of the State Chief Information Officer, use applications that are natively and commercially sold and delivered as cloud-based applications without using the State infrastructure to host them.

This section became effective July 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 7.12: Exempt Public Safety Divisions from Enterprise Active Directory. (SL 2016-94)

Sec. 7.12 of S.L. 2016-94 provides that the State Bureau of Investigation, the State Highway Patrol, and the Division of Emergency Management within the Department of Public Safety are not required to transfer management of their information technology resources to the Department of Information Technology by participating in the Enterprise Active Directory.

This section became effective July 1, 2016.

H1044 - Law Enforcement Omnibus Bill. (SL 2016-87)

S.L. 2016-87 does all of the following:

- Creates a "Blue Alert System" to aid in the apprehension of a person suspected of killing or inflicting serious bodily injury upon a law enforcement officer.
- Permits the designee of the head or chief of a law enforcement agency to request confiscated firearms to be turned over to the law enforcement agency for official use, sale, trade, or exchange.
- Modifies the description of cognitive impairments that trigger a Silver Alert for missing persons.
- Authorizes the Division of Motor Vehicles to refuse vehicle registration for failure to pay civil penalties and fees incurred for violating size, weight, construction, and equipment restrictions.

This provision becomes effective October 1, 2016, and applies to violations committed on or after that date.

- Expands the definition of "emergency" under the North Carolina Emergency Management Act.
- Permits the Samarcand Academy to sell merchandise and services to the public.
- Provides that persons hired by a State agency, department or university in a forensic scientist position and who are required to complete formal training before assuming their forensic scientist duties must be employed for 24 consecutive months in order to become career State employees.

Except as otherwise provided, this act became effective July 11, 2016.

H1137 - Treasurer's 2016 Investment Administrative Changes. (SL 2016-55)

S.L. 2016-55 modernizes and updates the statutes governing the Department of the State Treasurer's office hours and scope of authority for investment programs, codifies key departmental policies, and consolidates statutory reporting requirements.

The sections of this act involving reporting requirements became effective July 1, 2016, and apply to all reporting periods beginning on or after that date. Except as otherwise provided, this act becomes effective January 31, 2017.

S124 - Assumed Business Name/Industrial Commission Contempt/Parks.

Part IV: Remove Property From State Nature and Historic Preserve and Authorize Deletion of Properties from State Park System. (SL 2016-100)

Part IV of S.L. 2016-100 removes several small tracts from the State Nature and Historic Preserve and from the State Parks System to resolve deed overlaps, to allow for minor road relocations and utility easements, and to improve park management.

This part became effective July 18, 2016.

S160 - Official State Veterans Day Parade. (SL 2016-33)

S.L. 2016-33 amends State law to provide that the Veterans Day Parade held in the Town of Warsaw is the official Veterans Day Parade of the State.

This act became effective June 24, 2016.

S330 - Change Orders on School Construction Projects. (SL 2016-58)

S.L. 2016-58 requires all local boards of education to adopt a policy governing change orders to any construction or repair work for which a contract has been awarded in accordance with certain construction statutes. The policy must address, at a minimum, all of the following:

- How proposed change orders are submitted by the contractor for approval, including requests for expedited review.
- Identification of the individual(s), with responsible authority for approving change orders of a particular category of work or amount, and the corresponding descriptions and dollar limits for particular categories of work or amounts that may be approved.
- How a change order that must be approved by the local board is submitted to that board.
- How the local board is notified of all change orders submitted for approval, and the resulting actions taken.

S.L. 2016-58 becomes effective October 1, 2016, and applies to contracts awarded, extended, or renewed on or after that date.

S575 - North Carolina/South Carolina Original Boundary Confirmation. (SL 2016-23)

S.L. 2016-23 addresses several legal and tax issues related to the reestablishment of the original boundary line existing between North Carolina and South Carolina. North Carolina and South Carolina created a Joint Boundary Commission to relocate and reestablish their 334-mile common boundary. The Commission began its work in 1995 and completed the technical part of its work by May of 2013. For the last three years, efforts have been underway to reduce or eliminate the impact of the work on property owners whose residency or business would be moved from South Carolina to North Carolina, or vice versa, because of the reestablished boundary line. This act addresses not only the tax consequences of the reestablished boundary line but also other issues, such as public education enrollment and drivers licenses. South Carolina enacted similar legislation in June 2016: Act 270, Ratified 292, and Senate Bill 667.

This act became effective June 22, 2016. It is anticipated that the process to complete the reestablishment of the boundary line will be completed by the end of this calendar year. The boundary must be approved by the Governor and the Council of State before the Governor may issue a proclamation declaring the reestablished line as the true boundary line between North Carolina and South Carolina.

S673 - Natural Gas Economic Development Infrastructure. (SL 2016-118)

S.L. 2016-118 allows natural gas local distribution companies to recover the infeasible portion of a line extension through its rates for line extensions to companies that will invest at least \$200 million in improvements and employ at least 1,500 employees.

This act became effective July 28, 2016, and expires July 1, 2021.

S747 - State-Owned Real Property Management/Program Evaluation Division. (SL 2016-119)

S.L. 2016-119 requires more active management of State-owned real property by the Department of Administration (DOA), as recommended by the Program Evaluation Division of the General Assembly, including:

- Ongoing identification and disposal of surplus State-owned real property.
- Ongoing measurement and reporting of utilization of State-owned real property.
- Ongoing updating of State-owned real property inventories.
- Ensuring that State-owned property is not available before leases are approved or renewed.

The provisions of this act that require DOA to review utilization data in the State-owned real property database to determine whether the property can meet the needs of a requesting State agency, will become effective July 1, 2018. The remainder of this act became effective July 28, 2016.

S748 - Change Report - Building and Infrastructure Commission. (SL 2016-24)

S.L. 2016-24 provides that the Blue Ribbon Commission to Study the Building and Infrastructure Needs of the State must submit its final report to the 2017 General Assembly, on or before December 31, 2016.

This act became effective June 22, 2016.

S770 - North Carolina Farm Act of 2016.

Sec. 2: Authorize the Department of Agriculture and Consumer Services to Appoint and Deploy Agricultural Emergency Response Teams in Agricultural Emergencies. (SL 2016-113)

Sec. 2 of S.L. 2016-113 authorizes the Department of Agriculture and Consumer Services (DACS) to appoint and deploy agricultural emergency response teams (AERTs) to respond to agricultural emergencies. AERTs are employees of DACS and personnel operating with DACS as a contracted service, whom the Commissioner of Agriculture designates to respond to agricultural emergencies. AERTs have the same immunity from liability in responding to agricultural emergencies as other emergency response agencies covered by the North Carolina Emergency Management Act. DACS is authorized to use any unrestricted funds available to it that have been allocated by the General Assembly from the General Fund.

This section became effective July 26, 2016.

S792 - State Information Technology Contracts/Contractor Liability. (SL 2016-85)

S.L. 2016-85 requires limits of contractor liability for damages under State information technology procurement contracts. The act sets a presumption of liability of two times the value of the contract, with authorization for the amount to be raised to three times the value of the contract under certain circumstances.

This act became effective June 30, 2016, and applies to contracts entered into, extended via the exercise of options or otherwise, renewed, or amended on or after that date.

S886 - Retirement Amendments. (SL 2016-108)

S.L. 2016-108 does the following:

- Honors firefighter Captain Bradley Long, who was killed in the line of duty.
- Adds language providing survivorship benefits for a member killed in the line of duty for the NC Firefighters' and Rescue Squad Workers' Pension Fund (FRSWPF).
- Clarifies the retirement information that is subject to the Public Records Law.
- Allows certain forms to be transmitted electronically to Teachers' and State Employees' Retirement System (TSERS) members and Local Governmental Employees' Retirement System (LGERS) members.
- Allows letters of credit issued by a Federal Home Loan Bank to be used to collateralize deposits.
- Requires the LGERS Board of Trustees to develop a State Contribution Rate Stabilization Policy for the FRSWPF.
- Amends the law pertaining to the Retirement System for Teachers and State Employees to: (i) add the Director of the Office of State Human Resources as an ex officio member of the TSERS Board of Trustees, replacing a representative of higher education; (ii) provide for the TSERS and LGERS that the State Treasurer is the ex officio chair of the Board and has authority to appoint the director of the Retirement System; and (iii) require the annual valuation to TSERS and LGERS Board to include a section providing an analysis of assets on a market basis using the 30-year treasury rate as the discount rate.
- Makes references to the Supplemental Retirement Board of Trustees consistent across statutes and provides that the 403(b) uses the same procurement procedures as the 401(k) and 457 plans; and amends the reporting of earnings requirements under the Disability Income Plan.

This act became effective July 22, 2016, except for the provision that pertains to the survivorship benefits for a FRSWPF member killed in the line of duty. The aforementioned provision has various effective dates. Please see the full summary for more detail.