



PUBLIC EDUCATION: NORTH CAROLINA'S BEST INVESTMENT

2023 Legislative Summary

Second Edition: August 30, 2023

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SUMMARY OF LEGISLATION ENACTED BY THE GENERAL ASSEMBLY

PUBLIC/STATEWIDE LEGISLATION

House Bills

[HB 2: Budget Technical Corrections \(S.L. 2023-11\)](#)

Section 2.1. Allows the Department of Public Instruction (DPI) to use federal funds from a 2021 appropriation to contract with Gooru, Inc. for the Gooru Navigator software program to evaluate and improve student learning and performance.

Amends: Section 3.5(a)(10) of S.L. 2021-25, as amended by S.L. 2021-180

Effective July 1, 2022.

Section 2.2. Directs DPI to transfer \$160,000 in recurring funds (appropriated in FY 2022-23) from a contract with the Belk Center for Community College Leadership and Research at North Carolina State University to the purchase of attainment data from the National Student Clearinghouse. The data is to be shared annually with those as requested and approved by the Department.

Amends: S.L. 2022-74 or the Committee Report described in Section 43.2 of that act

Effective July 1, 2022.

Section 2.3. Mandates the \$583,500 in nonrecurring funds appropriated for each year of the 2021-2023 fiscal biennium to the Community Colleges System Office for Career Academies for At-Risk Students shall not revert at the end of the 2021-2023 fiscal biennium but remain available until expended. This program involves seventh through ninth grade students in the New Hanover County and Pender County school systems. This section is effective on June 30, 2023.

Amends: Part VI of S.L. 2021-180, as amended by Section 2.1 of S.L. 2021-189

Section 2.4. Revises the matching requirements for the National College Advising Corps Program from a 2:1 match of non-state funds for every dollar in federal funds to a 1:1 match. This program places college advisers in public high schools. The effective date of the act was changed from July 1, 2022 to July 1, 2021.

Amends: Subdivision (18) of Section 3.5(a) of S.L. 2021-25, as enacted by Section 7.27(a) of S.L. 2021-180 and amended by Section 7.8 of S.L. 2022-74

[HB 11: Schools for the Deaf and Blind \(S.L. 2023-10\)](#)

Section 1. Amends the requirements for local Superintendents to report to schools for the deaf and blind as follows:

- Strikes “guardians” from the list of those requiring written consent to release contact information and information regarding a child’s hearing or vision status to the deaf and blind schools.
- Strikes from the annual report on deaf and blind students the “type of disability of each child”.

- Requires local superintendents to share with the directors of the deaf and blind schools all current evaluation data and current or proposed individualized education plan for any child enrolled in that public school unit who is identified as a child with a disability who is deaf, hard of hearing, blind, or visually impaired. This information will be transferred upon the written request of a parent or custodian of a student who has applied to a school for the deaf or school for the blind.

Amends: G.S. 115C-150.15

Effective July 1, 2024.

[HB 76: Access to Healthcare Options \(S.L. 2023-7\)](#)

Section 1.1 expands Medicaid coverage through North Carolina Health Works to adults aged 18-64 with incomes up to 133% of the federal poverty level

Amends: Section 3 of S.L. 2013-5 is repealed; G.S. 108A-54.3A

Effective beginning on the later of following dates: (i) the date the Current Operations Appropriations Act for the 2023-2024 fiscal year becomes law or (ii) the start date approved by the Centers for Medicare and Medicaid Services.

[HB 103: GSC Technical Corrections 2023 \(S.L. 2023-46\)](#)

Section 14. Removes obsolete references to the Governor’s Commission on Early Childhood Vision Care regarding vision screening required for children entering kindergarten. This Commission was repealed by S.L. 2011-266, Section 1.40 on July 1, 2011.

Amends: G.S. 130A-440.1

Effective June 16, 2023.

[HB 166: American Indians Graduating with Honors Act \(S.L. 2023-43\)](#)

Sections 2-3. Requires public schools (including charters, lab schools, and regional schools) to allow enrolled members of a State or federally recognized Indian Tribe, and those eligible to be members, to wear objects of cultural significance as part of the graduating student’s regalia at school graduation ceremonies.

Amends: Article 29D of Chapter 115C of the General Statutes by adding G.S. 115C-407.40; G.S. 115C-218.75(k); G.S. 115C-238.66(19); G.S. 116-239.8(b)(22)

Effective June 14, 2023.

[HB 190: Dept. of Health and Human Services Revisions – Agency Bill \(S.L. 2023-65\)](#)

Section 7.2. Removes a requirement for grades 6 through 12 that child abuse and neglect documents and posters list available resources and the anonymous safety tip line application. This change begins with the 2023-2024 school year.

Amends: G.S. 115C-12(47)

Section 13A.1. Makes technical and clarifying changes to paid parental leave. A new section was added stating that “To the extent funds are made available for this purpose, the

Department of Public Instruction shall administer funds to public school units for the payment of substitute teachers for any public-school unit teacher using paid parental leave." This section becomes effective July 1, 2023, and applies to requests for paid parental leave related to births occurring on or after that date.

Amends: G.S. 115C-336.1 as amended by S.L. 2023-14

HB 201: Retirement Admin. Changes Act of 2023 (S.L. 2023-105)

Section 1. Changes the recipient of a death benefit for members of the Teachers' and State Employees' Retirement System (TSERS) and other state/local retirement systems. Replaces the words "surviving spouses" or "beneficiary or spouse" to "beneficiary".

Amends: G.S. 135-5(l); G.S. 128-27(16); G.S. 120-4.27; G.S. 135-64(k)

Section 2. Notifies employers paying short-term disability benefits that began before July 1, 2019, that the Disability Income Plan of North Carolina will not reimburse the second six months of short-term disability benefits related to notifications made on or after January 1, 2024.

Amends: G.S. 135-105(d)

Section 3. Changes the review and approval of short-term disability benefits from the Disability Income Plan of North Carolina to the Retirement Systems Division of the Department of State Treasurer.

Amends: G.S. 135-5(a)(5)

Section 4. Allows the extension of short-term disability benefits for an additional 365-day period if the beneficiary or participant makes an application for such benefit within 180 days after the short-term disability period ceases, salary continuation payments cease, or after monthly payments for Workers' Compensation cease, whichever is later. (Currently, there is no deadline for application.)

Amends: G.S. 135-105(g)

Section 5. Changes the method for making permanent the choice of a retirement benefit payment option under TSERS and other state/local retirement systems. Currently, a member's choice of payment options is made permanent when the first retirement check is cashed, or it is the 25th of the month following the month the first check is mailed. This Part changes the permanence of retirement benefit payment options to when "the first payment date has occurred". This change allows the first check to be made by direct deposit.

Amends: G.S. 135-5(g); G.S. 128-27(g); G.S. 120-4.26

Section 6. Clarifies that if a contingent beneficiary dies before receiving payment of the accumulated contributions in TSERS or other state/local retirement systems, the balance of funds shall be paid in a lump sum to the contingent beneficiary's legal representative.

Amends: G.S. 135-5(g1); G.S. 128-27(g1); G.S. 120-4.28

Section 7. Changes the method of recovering funds overpaid to beneficiaries due to an error of the NC Retirement Systems Division. The Division may recoup repayment from monthly retirement checks at a rate between 8.5% and 25% of the net monthly benefit. (Currently there is no limit on the amount withheld from monthly retirement checks to repay overpayments.)

Amends: G.S. 128-31(c1); G.S. 135-9(c1)

[HB 203: DST Technical Corrections \(S.L. 2023-89\)](#)

Part I. Makes changes to the Teachers' and State Employees' Retirement System (TSERS) as follows:

- Adds an additional means of repaying retirement benefits to TSERS for members who retired on an early or service retirement allowance then were reemployed on a part-time or temporary basis by an employer participating in TSERS, at any time during the six months immediately following the effective date of retirement.
 - Allows the member to elect to have the entirety of their monthly retirement benefit withheld until TSERS has recovered three times the amount of compensation earned during the six months immediately following the effective date of retirement.
- Amends the term “leave of absence” to “approved leave of absence” for purposes of determining creditable service in TSERS.
- Makes technical changes in the definition of the last day of actual service in the administration of the Death Benefit Plan.

Amends: G.S. 135-3(8)f; G.S. 135-4; G.S. 135-5(l)

Effective January 1, 2024.

[HB 219: Charter School Omnibus \(S.L. 2023-107\)](#)

Part 1. Prohibits the Charter School Review Board (*See*, HB 618: Charter School Review Board, S.L. 2023-110) from considering any alleged impact on the local school administrative unit or units in the area served by a charter school when deciding whether to grant, renew, amend, or terminate a charter.

Amends: G.S. 115C-218.5(a)

Part 2. Removes the prohibition of more than 20% enrollment growth by a low performing charter school. Removes all enrollment growth restrictions for charter schools that are not identified as low performing.

Amends: G.S. 115C-218.7

Part 3. Allows charter schools to admit a limited number of out-of-state students and foreign exchange students.

Amends: G.S. 115C-218.45

Effective August 16, 2023, and applies beginning with the admissions process for the 2024-2025 school year.

Part 4. Allows pre-lottery admissions to charters for: (i) certain preschools with agreements with the charter and (ii) children of active-duty military.

Amends: G.S. 115C-218.45(f)

Part 5. Prohibits local boards of education from considering a student's current or prior enrollment in a charter school when determining eligibility or admission to any school or special program.

Amends: G.S. 115C-47

Part 6. Allows counties to provide direct appropriations for capital funds. Counties would receive a security interest if charters used the funds to acquire or improve property. Counties could also lease real property to charters. If a charter dissolved, any assets purchased with county capital funds would be deemed the property of the contributing county or counties.

Amends: G.S. 115C-218.100(b); G.S. 115C-218.105; G.S. 153A-149(c); Article 23 of Chapter 153A of the General Statutes

Except as otherwise provided, this act is effective August 16, 2023, and applies beginning with the 2023-2024 school year.

[HB 574: Fairness in Women's Sports Act \(S.L. 2023-109\)](#)

Part 1. Requires public school units (PSUs) to expressly designate each middle and high school interscholastic and intramural team by the biological sex of team participants. Prohibits biological male students from participating on teams designated for females, women, or girls.

Amends: G.S. 115C-12(23)

Effective August 16, 2023, and applies beginning with the 2023-24 school year.

[HB 605: School Threat Assessment Teams \(S.L. 2023-78\)](#)

Section 2.(a) Requires public school units to establish threat assessment teams as follows:

- Requires the Center for Safer Schools (Center) to develop guidance for the threat assessment teams no later than December 31, 2023.
- Requires each governing body of a public school unit to adopt policies for threat assessment teams after consulting the Center's guidance. Public school units shall establish threat assessment teams no later than March 1, 2024.
- Requires these teams include persons with expertise in counseling, instruction, school administration, and law enforcement. When practicable, at least one school psychologist, one staff member knowledgeable about and experienced in working with students with special needs, and one staff member knowledgeable about and experienced in working with students with disabilities shall be assigned to the threat assessment team.
- Requires the governing body (e.g., school board) to develop policies for assessment and intervention at all grade levels, not just the individual threat assessment teams.
- Requires each threat assessment team to report quantitative data on its activities to the Center for Safer Schools.

Amends: Article 8C of Chapter 115C of the General Statutes by adding G.S. 115C-105.6; G.S. 115C-105.57(c)(2)c; G.S. 122C-115.4(b);

Section 3.(a)-(c) Requires local boards of education to establish peer-to-peer student support programs at all schools with grades 6 and higher by the 2024-2025 school year. These programs address areas such as conflict resolution, general health and wellness, and mentoring.

Amends: *G.S. 115C-47; G.S. 115C-316.1(a)*

Effective July 7, 2023.

Section 4.(a)-(e) Requires all public school units to participate in school safety exercises and programs. Also requires all public school units to provide local law enforcement with: (1) schematic diagrams and (2) keys to the main entrance of all school buildings.

Amends: *G.S. 115C-105.49; G.S. 115C-105.49A(b); G.S. 115C-105.52; G.S. 115C-105.53; G.S. 115C-105.54(a)*

Section 5. Encourages private schools to participate in school safety exercises and programs.

Amends: *G.S.115C-150.12C(17); G.S. 115C-551*

Except as otherwise provided, this act is effective July 7, 2023, and applies beginning with the 2024-2025 school year.

[HB 618: Charter School Review Board \(S.L. 2023-110\)](#)

Section 1.(a) Converts the North Carolina Charter Schools Advisory Board to the NC Charter Schools Review Board. Shifts the authority to approve or deny charter school applications, renewals, and revocations from the State Board of Education to a legislatively controlled Review Board with a right of appeal by an applicant, charter school, or the State Superintendent to the State Board of Education.

Amends: *G.S. 115C-218 ; G.S. 115C-218.2; G.S. 115C-218.3; G.S. 115C-218.4; G.S. 115C-218.5; G.S. 115C-218.6; G.S. 115C-218.7; G.S. 115C-218.8; Article 14A of Chapter 115C of the General Statutes; G.S. 115C-218.15; G.S. 115C-218.20(b); G.S. 115C-218.30; G.S. 115C-218.35(c); G.S. 115C-218.45; G.S. 115C-218.90; G.S. 115C-218.95; G.S. 115C-218.105; G.S. 115C-218.110(a); G.S. 115C-296.2(b)(1); G.S. 135-5.3(b1); G.S. 135-48.54(b)*

Effective August 16, 2023.

[HB 750: Address ESG Factors \(S.L. 2023- 64\)](#)

Section 1. Prohibits state entities from creating or using environmental, social, and governance (ESG) or economically targeted investments (ETI) requirements when hiring, firing, or evaluating employees. State entities includes political subdivisions of the State and a commission of any political subdivision of the State. In addition, no ESG or ETI criteria may be considered in the awarding of state contracts.

Amends: *Article 10 of Chapter 143 of the General Statutes by adding G.S. 143-162.6*

Effective June 27, 2023.

Senate Bills

[SB 20: Care for Women, Children, and Families Act \(S.L. 2023-14\)](#)

Section 5.1.(a) – (e) Grants permanent, full-time State employees (includes teachers and public-school employees) up to eight weeks of paid leave after giving birth to a child or up to four

weeks of paid leave when they become a parent to a child. (Part-time employees receive a prorated amount not to exceed four weeks after giving birth, or paid leave after any other qualifying event, not to exceed two weeks) This paid parental leave is 1) available without exhaustion of the employee's sick and vacation leave and is awarded in addition to shared leave under G.S. 126-8.3, or other leave authorized by State or federal law; 2) has no cash value upon termination from employment; and 3) may not be used for calculating an employee's retirement benefits. In addition to this paid parental leave, a teacher or school employee may use annual leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care. The General Assembly appropriated \$10 million in recurring funds beginning in Fiscal Year 2023-24 to pay for this benefit.

Amends: Article 2 of Chapter 126 of the General Statutes by adding G.S. 126-8.6; G.S. 126-5; G.S. 115C-302.1(j); G.S. 115C-336.1

This section was amended by S.L 2023-65, Section 13.A1 ([HB 190, Care for Women, Children, and Families Act](#))

Effective July 1, 2023, and applies to requests for paid parental leave related to births occurring on or after that date.

[SB 41: Guarantee 2nd Amend Freedom and Protections \(S.L. 2023-8\)](#)

**This bill explicitly excludes LEAs.*

Section 1. Creates a new exception to the prohibition of weapons on educational property of schools. An individual who has a valid concealed handgun permit may carry a handgun in a place of religious worship located on privately-owned educational property if all the following conditions apply:

- The property is not owned by a local board of education or county commission.
- The property is not a public or private institution of higher education.
- The property is not posted with a notice prohibiting carrying a concealed handgun on the premises.
- The handgun is only possessed and carried on the property outside of school operating hours.

School operating hours are defined as any time a curricular or extracurricular activity takes place on the premises, any time when the premises are used for educational, instructional, or school-sponsored activities, and any time the premises are being used for programs for minors by entities not affiliated with the religious institution.

Amends: G.S. 14-269.2; G.S. 14-415.11(c)

Effective December 1, 2023.

[SB 49: Parents' Bill of Rights \(S.L. 2023-106\)](#)

Part I. Establishes a Parents' Bill of Rights and enumerates certain rights of parents related to the education, health, privacy, and safety of their child.

Amends: the General Statutes by adding Chapter 114A

Part II. Requires public school units (PSU) to make the list of enumerated rights available to parents electronically or on the PSU website. Requires the State Board of Education (SBE) to develop minimum requirements for a parent guide PSUs are to provide to parents annually.

- Requires PSUs to inform parents of their legal rights and responsibilities regarding their child's education. Requires PSU governing bodies to develop and adopt policies to increase parental involvement, a parent guide to student achievement, and parental choices. Lists numerous requirements to be included.
- Requires PSUs at the beginning of each school year to provide parents, students, and school personnel a parent guide for student achievement and lists certain requirements.
- Requires PSU governing bodies, in consultation with parents, teachers, administrators, and community partners, to develop and adopt policies to promote parental involvement. Lists specific requirements.
- Establishes a process for parents to request information they have a right to access and an appeal process with timelines if the administration denies the request or does not respond.
- Requires PSU governing bodies to adopt procedures and establishes when parents are to be notified about the need for consent, rights pertaining to health care services, screenings, questionnaires, changes in services related to a child's mental, emotional, or physical health. Requires school personnel to encourage a child to discuss issues related to the child's well-being with his or her parents and/or facilitate discussion of the issue with the child's parents. Establishes certain procedures that governing bodies are prohibited from adopting regarding a child's health or well-being. Requires notification to a parent prior to any changes in the name or pronoun used for a student in school records or by school personnel.
- Prohibits PSUs from including instruction on gender identity, sexual activity, and sexuality in the curriculum for grades K-4. Creates a process for resolving parent concerns regarding a PSUs prohibition to include certain topics in the K-4 curriculum. Provides parents with timelines and the opportunity to appeal to a hearing officer appointed by the State Board of Education, or to seek a declaratory judgment in superior court.

Part 4. Requires the governing body of a PSU to adopt procedures to notify a parent of various enumerated events.

- Requires student support services training developed or provided by a PSU to school personnel to adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.
- Prohibits instruction on gender identity, sexual activity, or sexuality from being included in the curriculum provided in grades kindergarten through fourth grade.
- Sets out remedies for parental concerns about PSU procedure or practice and a process for resolving these concerns.

Part 5. Establishes parental rights to opt-in to protected information surveys.

Part 6. Requires each PSU to report annually – by September 15 – the following information to the SBE in a format designated by the SBE: (a) The most current version of the policies and procedures adopted as required by Article 7B with any modifications of the policy or procedure from the prior year's submission clearly delineated (b) Various data from the prior school year. Requires the SBE to report annually – by November 15 – to the

Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations on specific, enumerated data and information.

Amends: Subchapter III of Chapter 115C of the General Statutes by adding Article 7B.

Section 2(e) requires local boards of education to annually provide parents, by a method reasonably designed to provide actual notice, information on parental rights under State and federal law with regards to student records and opt-out opportunities for disclosure of directory information.

Amends: G.S. 115C-402.15

Section 2(h) requires the Department of Public Instruction to review and update, as necessary, various information in accordance with this act by June 30, 2024.

Amends: Subchapter III of Chapter 115C of the General Statutes by adding Article 7B.

Part II is effective August 16, 2023, and applies beginning with the 2023-24 school year.

Part III. Sets out definitions, requires health practitioners, including school nurses and any other school employee, to obtain written consent from the parent of a minor child before providing treatment, and provides a fine of up to \$5,000 for violation of this section. Defines treatment to include any medical procedure or treatment, including use of an Epi-pen, AED, administration of drugs, use of anesthetics, and lab or other diagnostic procedures.

Amends: Article 1A of Chapter 90 of the General Statutes by adding Part 3.

Part III is effective December 1, 2023, and applies to violations committed on or after that date.

Except as otherwise provided, this act is effective August 15, 2023.

[SB 195: UNC Omnibus \(S.L. 2023-102\)](#)

Section 2. Staggers the terms of the appointed members of the North Carolina Teaching Fellows Commission as follows:

- Requires the UNC Board of Governors to appoint seven members to the commission in even-numbered years. (was odd-numbered years)
- Requires the General Assembly to appoint two members to the commission in odd-numbered years.
- Changes the expiration date of the two-year terms for appointees from July 1 to June 30.
- Changes the term expiration date for the appointments made by the Board of Governors from July 1, 2023, to June 30, 2024, notwithstanding G.S. 116-209.61

Amends: G.S. 116-209.61

Effective July 14, 2023 for terms beginning July 1, 2023.

[SB 582: North Carolina Farm Act of 2023 \(S.L. 2023-63\)](#)

Section 5 (a-e). Encourages public schools (including charters, lab schools, and regional schools) to make 100% muscadine grape juice available to students in every local school. Local boards of education must “strive to ensure that 100% muscadine grape juice is made available to

students in every school in the local school administrative unit as a part of the school's nutrition program or through the operation of the school's vending facilities."

Amends: Part 2 of Article 17 of Chapter 115C of the General Statutes by adding G.S. 115C-264.5; G.S. 115C-218.75(k); G.S. 115C-238.66 (19); G.S. 116-239.8(b)(4)c

Effective June 27, 2023, and applies beginning with the 2023-2024 school year.

[SB 729: CBBC Working Group Changes \(S.L. 2023-48\)](#)

Section 1.(a) Provides relief to a public-school unit (PSU) who otherwise would be required to pay an additional contribution calculated under the contribution-based benefit cap (CBBC) purchase provision for the retirement of a public-school employee if the following conditions are met:

Step 1: (a) The retiree's service, during the period used to compute the retiree's average final compensation (AFC), was in a position(s) where State law or regulation mandates the specific dollar amount that must be paid from State funds to an employee OR

(b) the retiree served a minimum of 12 years in a position for which State law or regulation mandates a specific dollar amount that must be paid from State funds to an employee in that position(s).

Step 2: If one of the conditions in Step (1) is met, then relief will be provided based upon the local supplement paid to the retiree for a school year during the period used to calculate the employee's AFC:

Local Supplement	Relief
≤ 20% of salary paid	No additional contribution – 100% Relief
>20% but < 50%	Additional Contribution is 50%
≥50%	100% Additional Contribution – No Relief

In order to receive the aforementioned relief, the PSU must provide certification on a form to the State Treasurer's Office within 12 months of the assessment.

Amends: G.S. 135-8

Effective July 1, 2023.

Section 2.(a) Authorizes the Department of State Treasurer to use the conditions in Section 1 to settle pending legal actions involving the anti-pension spiking CBBC . The section also prohibits the Retirement System from requesting an interception of State appropriations for unpaid contributions attributable to retirements that occurred between July 1, 2021, and June 30, 2023 until September 1, 2023.

Effective June 19, 2023.

Section 3.(a) Allows the Treasurer to designate legal counsel, including private counsel, to represent the interests of the administration of benefit programs under Chapter 135 of the General Statutes.

Amends: G.S. 135-6

Effective July 1, 2023.

LOCAL LEGISLATION

House Bills

[HB 27: Elect Thomasville City Bd. of Ed \(S.L. 2023-1\)](#)

Section 1. Changes the terms of the five member Thomasville City Board of Education (Board) from staggered two-year terms to staggered four-year terms beginning in 2023.

Section 2. Changes the Board from one appointed by the Thomasville City Council to one elected in each odd-numbered year in accordance with the nonpartisan plurality method outlined in G.S. 163-292. All qualified voters residing in the Thomasville City Schools Administrative Unit shall be eligible to vote for all candidates.

Section 3. Schedules the election of Board members as follows:

- For the 2023 election, two members shall be elected to a two-year term and three members shall be elected to serve a four-year term. The three candidates receiving the highest number of votes shall be elected to serve a four-year term. The two candidates receiving the next highest number of votes shall be elected to a two-year term.
- In 2025, and every four years thereafter, two members shall be elected to serve a four-year term.
- In 2027, and every four years thereafter, three members shall be elected to serve a four-year term.

Section 4. Directs that members shall take office at the first regular meeting of the Board in December following the election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified. Vacancies for positions elected on the Board shall be filled in accordance with G.S. 115C-37(f).

Section 5. Mandates that the terms of appointed members serving at the time of the effective date of this act shall expire upon the qualification of members elected to the Board in 2023.

Section 6. Repeals the following acts:

- Section 8 of Chapter 262 of the Private Laws of 1901.
- Chapter 88 of the 1965 Session Laws.
- Section 504 of Article V of the Charter of the City of Thomasville as enacted by Chapter 211 of the 1981 Session Laws

Effective March 9, 2023, and applies to elections conducted on or after that date.

[HB 30: Reduce Length of Granville Bd. of Ed. Terms \(S.L. 2023-2\)](#)

Section 1. Changes the length of terms for members of the Granville County Board of Education from six-year terms four-year terms.

Amends: Section 1 of Chapter 292 of the 1989 Session Laws

Section 2. Schedules the election of Board members as follows:

- In 2024 and every four years thereafter, board members shall be elected from Districts 3 and 4.
- In 2026 and every four years thereafter, board members shall be elected from Districts 1, 2, and 6.
- In 2028 and every four years thereafter, board members shall be elected from Districts 5 and 7
- Effective March 9, 2023 and applies to elections for members of the Granville County Board of Education in 2024 and thereafter.

[HB 66: Boards of Education Elections \(S.L. 2023-32\)](#)

Sections 1-5. Changes the election for the members of the Catawba County Board of Education, the Hickory City Board of Education, the Newton-Conover City Board of Education, and the Polk County Board of Education from nonpartisan to partisan beginning with the 2024 election. For school board members elected in 2024 and thereafter, vacancies will be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant. For the Hickory City Board of Education and the Newton-Conover City Board of Education, the elections are changed from odd-numbered years to even-numbered years and the terms of the current Board members are extended by one year to make this change.

Amends:

- *Catawba: Section 1 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the 1985 Session Laws*
- *Hickory City: Section 1 of Chapter 930 of the 1971 Session Laws; Repeals Sections 5 and 6 of Chapter 930 of the 1971 Session Laws*
- *Newton-Conover City: Chapter 200 of the Private Laws of 1935, as amended by Chapter the 1961 Session Laws and Chapter 81 of the 1967 Session Laws*
- *Polk: Repeals Chapter 230 of the 1965 Session Laws and Chapter 845 of the 1973 Session Laws, as amended by Chapter 584 of the 1985 Session Laws*

*Changes in sections 1-5 same as sections 5-8 in [SB 248/S.L. 2023-37](#).

Section 6. Requires the Buncombe County Board of Education to establish new electoral districts for electing members beginning in 2024 to replace the current districts based on high school attendance zones. If the Board fails to act by February 1, 2024, the General Assembly will draw the new districts. Members of the Buncombe Board of Education are elected using the nonpartisan primary and election method beginning in 2026.

Amends: *Section 1 of Chapter 532 of the 1975 Session Laws; Sections 1.1 and 4 of Chapter 532 of the 1975 Session Laws, as amended by Chapter 178 of the 1981 Session Laws and Chapter 93 of the 1995 Session Laws*

Except as otherwise provided, this act is effective June 8, 2023.

[HB 88: Omnibus Local Elections \(S.L. 2023-4\)](#)

Section 1. Changes the filling of vacancies on the Guilford County Board of Education (Board) from a vote of a majority of the remaining members of the Board present and voting to an appointment by the county executive committee of the vacating member's political party. If the county political party executive committee fails to make an appointment in writing to the Superintendent of Schools of Guilford County within 30 days of the occurrence of the vacancy, the Board may fill the vacancy by vote of a majority of its remaining members present and voting at the next regular meeting of the Board after 30 days of the occurrence of the vacancy.

Amends: Section 6 of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361

Effective March 16, 2023, and applies to elections held on or after that date.

Sections 2-7. Changes the method of election of the Board of Education members in Ashe, Cabarrus, Henderson, McDowell, and Mitchell counties from nonpartisan to partisan, beginning December 1, 2024. Vacancies for members elected on a partisan basis would be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant. The term of any member appointed to fill a vacancy of a member elected on a nonpartisan basis in 2020 or 2022 is not affected and members will continue to serve until a successor has been elected or qualified.

Amends:

- *Ashe: Section 1 of Chapter 128 of the 1995 Session Laws, as amended by S.L. 2000-6*
- *Cabarrus: Sections 1 and 2 of Chapter 102 of the 1989 Session Laws, as amended by Chapter 583 of the 1993 Session Laws and S.L. 2009-430*
- *Henderson: A Plan for Merger of Hendersonville City Schools and Henderson County Schools adopted by the State Board of Education on March 5, 1992, and validated under Chapter 767 of the 1991 Session Laws (the Henderson Merger Plan)*
- *McDowell: Section 1 of Chapter 322 of the 1987 Session Laws, as rewritten by Chapter 107 of the 1995 Session Laws*
- *Mitchell: Chapter 55 of the 1987 Session Laws is repealed*

Effective December 1, 2024.

[HB 174: W-S/ Forsyth Bd. Of Ed./ Rural Hall Even Year \(S.L. 2023-31\)](#)

Section 1. Changes the election method of the Winston-Salem/Forsyth County Board of Education from electing all members in a single year to a staggered term system. The Board will continue to elect 2 members from District 1, 4 members from District 2, and 3 at-large members. Beginning in 2026, these members will be elected as follows to establish the staggered terms:

- **District 1:** The candidate receiving the highest number of votes serves a four-year term, and that seat shall be up for election in 2030 and every four years thereafter. The candidate receiving the second highest number of votes shall serve a two-year term, and that seat shall be up for election in 2028 and every four years thereafter.
- **District 2:** The two candidates receiving the first and second highest number of votes shall serve a four-year term, and those seats shall be up for election in 2030 and every four years thereafter. The candidates receiving the third and fourth highest number of

votes shall serve a two-year term, and those seats shall be up for election in 2028 and every four years thereafter.

- At-large: The two candidates receiving the first and second highest number of votes shall serve a four-year term, and those seats shall be up for election in 2030 and every four years thereafter. The candidates receiving the third highest number of votes shall serve a two-year term, and those seats shall be up for election in 2028 and every four years thereafter.

Does not affect the terms of office of any person elected to the Board of Education in 2022

Amends: Section 2(a)(5)(ii) of Chapter 112 of the 1961 Session Laws, as rewritten by Chapter 466 of the 1985 Session Laws, and as amended by Chapter 696 of the 1991 Session Laws, S.L. 2009-72, and S.L. 2011-141

[HB 308: Alexander Co. Bd. of Ed. Referendum \(S.L. 2023-41\)](#)

Section 1. Changes method of election for Alexander County Board of Education from nonpartisan to partisan in staggered terms.

Section 3. Requires Alexander County to hold a referendum during the 2024 general election to determine if their citizens want the changes outlined in Section 1.

Amends: If Section 1 is approved by referendum, Section 1, 3, 4 and 7 of Chapter 774 of the 1969 Session Laws and repeals Section 2,5,6 and 8 of Chapter 774 of the 1969 Session Laws

If Section 1 is approved by referendum, it is effective for elections in 2026 and after.

Section 4. Makes the 2026 election partisan if the 2024 referendum is approved. The method for electing the new partisan board is outlined in Section 1 and the filling of vacancies on a partisan board is in Section 2 of the bill as follows:

- Changes the seven-member nonpartisan board elected from four districts in staggered terms to a seven-member partisan board elected from seven single-member electoral districts in staggered terms;
- Mandates that candidates for election to the Alexander County Board of Education (Board) be nominated at the same time and manner as other county officers;
- Vacancies for members elected on a partisan basis would be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant, for members elected on or after December 1, 2026.

If referendum is approved, Section 1 is effective for elections in 2026 and after.

[HB 452: Franklin Co. Bd. of Ed. Election Method \(S.L. 2023-17\)](#)

Section 1. Changes the method of election of the Franklin County Board of Education from a nonpartisan election and runoff method to a nonpartisan primary and election Method. If there are more than two candidates filing for a single office, there will be a primary election to narrow the field of candidates to two candidates. No primary is held if only one or two candidates file for a single office.

Amends: Section 6(b) of Chapter 341 of the 1993 Session Laws, as amended by S.L. 2005-80

Effective May 24, 2023, and applies to elections held on or after that date.

Senate Bills

[SB 9: Local Omnibus Changes \(S.L. 2023-112\)](#)

Section 2.(a) Amends the process for filling vacancies on the Guilford County Board of Education as follows:

- Specifies that the existing provisions apply when the vacating board member was elected;
- Specifies that the existing provisions apply if the vacating Board member was elected as the nominee of a political party by countywide election or from an electoral district;
- Adds that whenever only the qualified voters of less than the entire county were eligible to vote for the vacating Board member, then the county political party executive committee must not be required to restrict voting to executive committee members who represent precincts all or part of which were within the territory of the vacating Board member;
- Makes a technical correction by changing who provides the name of an individual qualified to fill a vacancy from the “county executive committee of the political party of which the vacating Board member is a member” to the “county political party executive committee;”
- Alters the timeframe within which the Board can address a vacancy, should the county political party executive committee fail to submit a name. This alteration requires the Board to defer action until the next regular Board meeting that occurs more than 30 days after the occurrence of the vacancy;
- Sets out the following conditions that apply to vacancies on the Board when the vacating member was appointed by the Board:
 - Requires the individual appointed to fill a vacancy to be a qualified Guilford County voter;
 - Requires the individual appointed to fill a vacancy to be a resident of the district where the vacancy exists if the vacating Board member was appointed from within a single member district;
 - Requires the Board to consult with the county executive committee of the political party whose nominee was certified as elected to fill that seat if the vacating Board member was appointed by the Board and a nominee of a political party and certified as elected to fill that seat at the time of the last election and sets out the process and timeline to be followed in these circumstances;
 - Adds that whenever only the qualified voters of less than the entire county were eligible to vote for the vacating Board member, then the county political party executive committee must not be required to restrict voting to executive committee members who represent precincts all or part of which were within the territory of the vacating Board member;
 - Allows the Board to fill a vacancy at the next regular meeting of the Board occurring more than 30 days after the occurrence of the vacancy if the county political party executive committee fails to provide the name of a qualified individual

- Requires any person to fill a vacancy under these provisions to serve until the next election of Board members, at which time the remaining unexpired term of office in which the vacancy occurred must be filled by election.

Amends: Section 6 of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361 and S.L. 2023-4

Except as otherwise provided, Section 2.(a) is effective August 16, 2023, and applies to vacancies existing on or after that date.

Section 3.(a) The term of office of any individual appointed by the Guilford County Board of Education to fill a vacancy occurring between December 1, 2022, and August 16, 2023 shall expire on August 16, 2023.

Section 3.(b) Notwithstanding Section 6(b)(3) of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361, S.L. 2023-4, and this act, for any vacancy occurring as a result of Section 3(a) of this act, the nominee of a county political party executive committee of that political party shall take the oath of office at the next regular meeting of the Guilford County Board of Education following submission of a nomination to the Superintendent of Schools of Guilford County if the individual is nominated by the county political party executive committee within 60 days of August 16, 2023.

[SB 17: Stanly Bd. of Comm/Bd. of Educ \(S.L. 2023-19\)](#)

Section 2. Modifies the staggering of terms for members of the Stanly County Board of Education. The current Board was elected as follows:

- One member each from District 2, District 3, District 4, and District 5, and one at-large member in 2020
- One member from District 1 and one at-large member in 2022

The new terms are as follows:

- One at-large member for a two-year term in 2024 only
- One member each from District 2, District 3, District 4, and District 5 for four-year terms in 2024 and every four years thereafter:
- One member from District 1 and two at-large members for four-year terms in 2026 and every four years thereafter:

Amends: Section 5(c) of S.L. 2013-361

Effective May 25, 2023, and applies to elections held on or after that date.

[SB 248: Nash Bd. of Educ/No. of Members/Districts \(S.L. 2023-37\)](#)

Section 1. Makes the following changes to the Nash Board of Education: (1) decreases the size of the Board from eleven members to seven members; (2) aligns the Board's seven single member districts with the districts of Nash County Board of Commissioners; (3) permits all members elected to the Board in 2022 to serve until the end of their term but will not allow vacancies to be filled; (4) Creates staggered terms as follows:

- In 2024, and every four years thereafter, members from Districts 1, 3, and 4 shall be elected to serve a four-year term
 - In 2024, members from Districts 2, 5, 6, and 7 shall be elected to serve a two-year term. In 2026, and every four years thereafter, members from Districts 2, 5, 6, and 7 shall be elected to serve a four-year term.
- *Elections remain nonpartisan

Section 2. Provides for the boundaries of the Nash School Administrative Unit to be identical to the boundaries of Nash County.

Effective July 1, 2024.

Section 3. Requires Nash and Edgecombe school boards and county commissioners to submit a written plan to the State Board of Education to transfer that portion of the Nash School Administrative Unit located in Edgecombe County to the Edgecombe County Public School System. If a written plan is not submitted by November 15, 2023, then the State Board of Education shall prepare a written plan no later than December 31, 2023.

Amends: Repeals S.L. 2016-14 (Merger and Consolidation of the school administrative units in Nash County and Rocky Mount)

Section 4. Repeals the following: Chapter 391 of the 1991 Session Laws (Merger and Consolidation of the school administrative units in Nash County and Rocky Mount); Section 4 of S.L. 2003-346 (boundary between Nash/Rocky Mount and Edgecombe school systems); Section 1 of S.L. 2006-87 (election dates for Nash/Rocky Mount Board); S.L. 2007-316 (correction to boundary between Nash/Rocky Mount and Edgecombe school systems).

Sections 5-8. Changes the election for the members of the Catawba County Board of Education, the Hickory City Board of Education, and the Newton-Conover City Board of Education from nonpartisan to partisan beginning with the 2024 election.

- Beginning June 12, 2023 vacancies will be filled by the county executive committee of the vacating member's political party instead of by the remaining members of the Board.
- For the Hickory City Board of Education and the Newton-Conover City Board of Education, the elections are changed from odd-numbered years to even-numbered years and the terms of the current Board members are extended by one year to make this change. [Same as HB 66/S.L. 2023-32]
- Changes the filing of candidacy deadline for all three boards of education to line up with filing deadline for other county offices

Amends: Catawba: Section 1 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the 1985 Session Laws; Hickory City: Section 1 of Chapter 930 of the 1971 Session Laws; Repeals Sections 5 and 6 of Chapter 930 of the 1971 Session Laws; Newton-Conover City: Chapter 200 of the Private Laws of 1935, as amended by Chapter the 1961 Session Laws and Chapter 81 of the 1967 Session Laws

*Changes in sections 5-8 same as sections 1-5 in [HB 66: Boards of Education Elections \(S.L. 2023-32\)](#)

[SB 286: Make Pamlico Bd. of Ed. Elect. Partisan \(S.L. 2023-22\)](#)

Section 2. Changes the method of election of the Pamlico County Board of Education from nonpartisan to partisan. The election of the Pamlico County Board of Education shall be held at the same time and manner as other county officers.

Section 4. The four-year staggered terms will be elected as follows:

- One member shall be elected from Districts 1, 2, 3, and 5 to serve four-year terms beginning in 2024.
- One member shall be elected from District 4 and two members shall be elected from the county at large to serve four-year terms beginning in 2026.

*This act does not affect the terms of office of any person elected in 2020 or 2022 to the Pamlico County Board of Education.

Section 5. Adds the Pamlico County Board of Education to the list of counties that fill vacancies on partisan boards according to G.S. 115C-37.1. This section is effective December 1, 2024.

Amends: Section 8 of Chapter 939 of the 1987 Session Laws; repeals Chapter 551 of the 1981 Session Laws; repeals Section 10 of Chapter 939 of the 1987 Session Laws, as amended by S.L. 2005-305; repeals Sections 11 and 13 of Chapter 939 of the 1987 Session Laws

Except as otherwise provided, this act is effective May 25, 2023, and applies to elections held on or after that date.