



RAMSEY FARRAR & BATES

Weekly Calendar

Week of June 8, 2020

Mon 6/8/20 4:00pm - Senate Chamber, Senate Floor

1. SB811
Jackson E.

ENVIRONMENT & NATURE: Regulatory oversight regarding effluents when federal government lacks funds. Requires state assume regulatory oversight over effluents during periods when the federal government lacks adequate funds to exercise such responsibilities.
Amendment Summary: Senate Energy, Agriculture & Natural Resources Committee amendment 1 (015216) deletes all language after the enacting clause. Exempts soil intended for use or reuse from being defined as discarded material constituting waste." House Agriculture & Natural Resources Committee amendment 1 (018106) deletes all language after the enacting clause. Exempts soil intended for use or reuse as soil from being defined as discarded material constituting waste . Effective October 1, 2020.
Fiscal Note: (Dated March 14, 2019) NOT SIGNIFICANT
Senate Status: 06/05/20 - Set for Senate Floor 06/08/20.
House Status: 06/04/20 - Set for House Floor on 06/08/20.
Meetings: Tue 3/19/19 12:00pm - House Hearing Rm II, House Agriculture & Natural Resources Subcommittee; Wed 3/4/20 11:30am - Senate Hearing Rm I, Senate Energy, Agriculture & Natural Resources Committee; Tue 3/3/20 9:00am - CANCELED, House Agriculture & Natural Resources Subcommittee; Tue 3/10/20 8:00am - House Hearing Rm II, House Agriculture & Natural Resources Subcommittee; Mon 3/9/20 4:30pm - Senate Chamber, Senate Consent 2; Tue 3/10/20 4:30pm - House Hearing Rm I, House Agriculture & Natural Resources Subcommittee; Thu 3/12/20 8:30am - Senate Chamber, Senate Floor; Tue 3/17/20 8:00am - CANCELED, House Agriculture & Natural Resources Committee; Tue 6/2/20 12:30pm - House Hearing Rm III, House Agriculture & Natural Resources Committee; Thu 6/4/20 3:00pm - House Hearing Rm I, House Calendar & Rules Committee; Mon 6/8/20 4:00pm - Senate Chamber, Senate Floor; HB845 - C. Todd - 06/04/20 - Set for House Floor on 06/08/20.
7. SB1896
Gardenhire
T.

TRANSPORTATION GENERAL: Easements on private property. Restricts the width of a private easement or right-of-way to 20 feet. Adds provision that specifies that in counties with a metropolitan form of government, the maximum permissible width for an easement or right-of-way is 15 feet. Authorizes the court to award attorney fees to the defending landowner in an action for an easement or right-of-way brought by a private person owning land obstructed entirely from a public road by the intervening land of another person. Makes other changes regarding private easements.
Amendment Summary: Senate Judiciary Committee Amendment 1, House amendment 1 (014786) deletes and replaces all language after the enacting clause, such that the only substantive change is restricting the width of a private easement or right-of-way for the purpose of ingress and egress and extending utility lines to 15 feet in counties with a metropolitan form of government and to 25 feet for all others.
Fiscal Note: (Dated February 1, 2020) NOT SIGNIFICANT
Senate Status: 06/05/20 - Set for Senate Floor 06/08/20.
House Status: 03/02/20 - House passed with amendment 1 (014786).
Meetings: Tue 2/11/20 3:00pm - House Hearing Rm II, House Civil Justice Subcommittee; Wed 2/19/20 3:30pm - House Hearing Rm I, House Judiciary Committee; Tue 3/3/20 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee; Thu 2/27/20 8:00am - House Hearing Rm I, House Calendar & Rules Committee; Mon 3/2/20 5:00pm - House Chamber, House Floor; Tue 3/10/20 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee; Tue 6/2/20 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee; Mon 6/8/20 4:00pm - Senate Chamber, Senate Floor; HB1914 - M. Carter - 03/02/20 - House passed with amendment 1 (014786).

Mon 6/8/20 4:00pm - Senate Chamber, Senate Message

2. SB1754
Lundberg J. **COMMERCIAL LAW: Business filings submitted to the secretary of state.** Makes various revisions related to business filings submitted to the secretary of state as follows: (1) Clarifies that business filings must meet both statutory and rule requirements. This bill also requires that filings include other information as may be required by the secretary of state; (2) Removes the requirement that filings be typewritten and instead requires that filings be capable of being printed in ink in a clear and legible fashion on one side of letter size paper. This change applies to cooperatives, for-profit corporations, nonprofit corporations, LLCs, partnerships, and limited partnerships; (3) Changes the timing of filing an annual report. Under present law, reports must be filed on or before the first day of the fourth month following the close of the corporation's fiscal year. This bill adds that the secretary of state may set a different filing date by rule. This change applies to for-profit corporations, nonprofit corporations, LLCs, and limited partnerships; (4) Authorizes the secretary of state to prescribe a mandatory form and filing method for submitted filings. Under present law, the secretary may only make certain forms and filing methods mandatory, such as an LLC's annual report. This bill relieves the secretary of the duty of furnishing on request LLC annual report forms. This bill authorizes the secretary to prescribe and furnish forms and filing methods for all filings relative to solicitation of charitable funds; (5) Clarifies that nonprofit filings must include a statement making clear that the documents are being filed pursuant to governing law; (6) Specifies for cooperatives, for-profit corporations, nonprofit corporations, LLCs, and partnerships: (A) If the secretary of state has prescribed a mandatory method of filing, then the document must be filed in the prescribed manner. This form and manner restriction will apply as well to certified copies of a partnership statement submitted to the secretary of state; and (B) A conformed copy of a document submitted to the secretary for filing must also be stamped with the word "Filed." (32pp.)
Amendment Summary: House amendment 1 (016453) clarifies that the form and filing of a document must satisfy all applicable statutory requirements and requirements set by rule in order to be filed; and that if a document meets that threshold, the secretary of state must file it.
Fiscal Note: (Dated February 6, 2020) NOT SIGNIFICANT
Senate Status: 06/05/20 - Set for Senate Message 06/08/20.
House Status: 06/04/20 - House passed with amendment 1 (016453), which clarifies that the form and filing of a document must satisfy all applicable statutory requirements and requirements set by rule in order to be filed; and that if a document meets that threshold, the secretary of state must file it.
Meetings: Tue 2/11/20 12:00pm - House Hearing Rm II, House Department & Agencies Subcommittee; Tue 2/18/20 10:30am - Senate Hearing Rm I, Senate State & Local Government Committee; Tue 2/18/20 10:30am - House Hearing Rm I, House State Committee; Tue 2/25/20 10:30am - House Hearing Rm I, House State Committee; Mon 2/24/20 4:30pm - Senate Chamber, Senate Consent 2; Mon 3/2/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Mon 3/9/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Thu 3/12/20 8:00am - House Hearing Rm I, House Calendar & Rules Committee; Mon 3/16/20 5:00pm - House Chamber, House Floor; Mon 6/1/20 5:00pm - House Chamber, House Floor; Tue 6/2/20 9:00am - House Chamber, House Floor; Wed 6/3/20 9:00am - House Chamber, House Floor; Thu 6/4/20 9:00am - House Chamber, House Floor; Mon 6/8/20 4:00pm - Senate Chamber, Senate Message;
HB1811 - D. Wright - 06/04/20 - House passed with amendment 1 (016453), which clarifies that the form and filing of a document must satisfy all applicable statutory requirements and requirements set by rule in order to be filed; and that if a document meets that threshold, the secretary of state must file it.

Tue 6/9/20 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee

MEMBERS: CHAIR P. Bailey (R); VICE CHAIR A. Swann (R); 2ND VICE CHAIR J. Lundberg (R); R. Akbari (D); D. Gresham (R); J. Johnson (R); F. Niceley (R); S. Southerland (R); B. Watson (R)

1. SB2681
Johnson J. **CONSTRUCTION: Increases time for serving notice of claim against a contractor to an alleged construction defect.** Increases from 15 days to 15 business days, the time period in which a person must endeavor to serve notice of a claim against a contractor, subcontractor, supplier, or design professional related to an alleged construction defect following discovery of the alleged defect. Broadly captioned.
Fiscal Note: (Dated February 8, 2020) NOT SIGNIFICANT
Senate Status: 06/04/20 - Set for Senate Commerce & Labor Committee 06/09/20.
House Status: 06/03/20 - House Commerce Committee recommended with amendment. Sent to House Calendar & Rules.
Meetings: Tue 3/10/20 3:00pm - House Hearing Rm III, House Business Subcommittee; Tue 3/17/20 1:30pm - CANCELED, House Commerce Committee; Wed 6/3/20 11:00am - House Hearing Rm I, House Commerce Committee; Tue 6/9/20 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee;
HB2706 - R. Gant - 06/03/20 - House Commerce Committee recommended with amendment. Sent to House Calendar & Rules.

Wed 6/10/20 1:00pm - House Hearing Rm I, House Government Operations Committee

MEMBERS: CHAIR M. Daniel (R); VICE CHAIR I. Rudder (R); M. Littleton (R); G. Johnson (D); J. Faison (R); M. Stewart (D); J. Reedy (R); J. Ragan (R); W. Lamberth (R); J. Lafferty (R); D. Howell (R); G. Hardaway (D); C. Halford (R); B. Dunn (R); K. Camper (D); K. Calfee (R)

14. HB2825
Grills R. **GOVERNMENT REGULATION: Requires an agency to repeal an old rule in order to implement a new rule.** Requires an agency that promulgates a new permanent rule to identify and repeal one existing permanent

rule.

Fiscal Note: (Dated February 9, 2020) Other Fiscal Impact Repeal of permanent rules of agencies will result in an unknown impact to federal funding, state expenditures, and state revenue. Due to multiple unknown factors, a precise impact on state government cannot reasonably be determined.

Senate Status: 02/10/20 - Referred to Senate Government Operations Committee.

House Status: 06/04/20 - Set for House Government Operations Committee 06/10/20.

Meetings: Mon 2/24/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Mon 3/2/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Wed 6/10/20 1:00pm - House Hearing Rm I, House Government Operations Committee;

SB2594 - F. Niceley - 02/10/20 - Referred to Senate Government Operations Committee.

18. HB1953
Daniel M.

GOVERNMENT REGULATION: Uniform Administrative Procedures Act. Requires each state agency complete periodic training to ensure compliance to the Regulatory Flexibility Act of 2007.

Amendment Summary: House Government Operations Committee amendment 1 (015639) deletes and replaces all language after the enacting clause. Prohibits an agency from adopting a rule being prepared if the fiscal note or economic impact statement establishes a cost on persons, including another agency, special district, or a state or local government unless the agency meets certain requirements.

Fiscal Note: (Dated February 1, 2020) NOT SIGNIFICANT

Senate Status: 02/10/20 - Referred to Senate Government Operations Committee.

House Status: 06/04/20 - Set for House Government Operations Committee 06/10/20.

Meetings: Mon 2/24/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Mon 3/2/20 2:00pm - House Hearing Rm I, House Government Operations Committee; Wed 6/10/20 1:00pm - House Hearing Rm I, House Government Operations Committee;

SB2769 - M. Bell - 02/10/20 - Referred to Senate Government Operations Committee.

19. HB2785
Rudder I.

GOVERNMENT REGULATION: Contested case hearing where a declaratory order is issued. Removes the limitation that only the chancery court of Davidson County is authorized to review a contested case hearing where a declaratory order is issued.

Fiscal Note: (Dated February 9, 2020) NOT SIGNIFICANT

Senate Status: 02/10/20 - Referred to Senate Government Operations Committee.

House Status: 06/04/20 - Set for House Government Operations Committee 06/10/20.

Meetings: Wed 6/10/20 1:00pm - House Hearing Rm I, House Government Operations Committee;

SB2593 - F. Niceley - 02/10/20 - Referred to Senate Government Operations Committee.

Wed 6/10/20 4:00pm - House Hearing Rm I, House Finance, Ways & Means Subcommittee

MEMBERS: CHAIR G. Hicks (R); J. Deberry Jr. (D); R. Tillis (R); R. Staples (D); L. Miller (D); A. Holt (R); D. Hawk (R); R. Gant (R); K. Camper (D); B. Ogles (R); S. Lynn (R); M. Hill (R); P. Hazlewood (R); S. Whitson (R)

1. HB1830
Boyd C.

PROPERTY & HOUSING: Broadens definition of a bed and breakfast homestay. Qualifies a single condominium as a bed and breakfast homestay. Broadly captioned.

Amendment Summary: Senate amendment 3, House Local Committee amendment 1 (018051) deletes all language after the enacting clause. Defines terms related to an including short-term rental unit marketplace . Requires these marketplaces to collect and remit any local tax on the occupancy of a room by a transient to the Department of Revenue (DOR). Authorizes the DOR to deduct 1.125 percent of the collected tax to cover any costs related to the collection and distribution of this tax for local governments. Defines the term transferred as it relates to regulations governing Short Term Rental Property (STRP) by local governments. Requires parcels of real property which serve as the principal residence of the owner and contain one short-term rental unit to be assessed as residential property.

Fiscal Note: (Dated January 29, 2020) NOT SIGNIFICANT

Senate Status: 06/04/20 - Senate passed with amendment 3 (018051), which deletes all language after the enacting clause. Defines terms related to an including short-term rental unit marketplace . Requires these marketplaces to collect and remit any local tax on the occupancy of a room by a transient to the Department of Revenue (DOR). Authorizes the DOR to deduct 1.125 percent of the collected tax to cover any costs related to the collection and distribution of this tax for local governments. Defines the term transferred as it relates to regulations governing Short Term Rental Property (STRP) by local governments. Requires parcels of real property which serve as the principal residence of the owner and contain one short-term rental unit to be assessed as residential property.

House Status: 06/04/20 - Set for House Finance, Ways & Means Subcommittee 06/10/20.

Meetings: Tue 2/25/20 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee; Tue 3/3/20 4:30pm - House Hearing Rm IV, House Property & Planning Subcommittee; Mon 3/2/20 4:30pm - Senate Chamber, Senate Floor; Tue 3/10/20 4:30pm - House Hearing Rm IV, House Property & Planning Subcommittee; Mon 3/9/20 4:30pm - Senate Chamber, Senate Floor; Wed 6/3/20 2:00pm - House Hearing Rm I, House Local Committee; Tue 6/2/20 10:30am - Senate Hearing Rm I, Senate State & Local Government Committee; Thu 6/4/20 10:00am - Senate Chamber, Senate Floor; Wed 6/10/20 4:00pm - House Hearing Rm I, House Finance, Ways & Means Subcommittee;

SB1778 - J. Stevens - 06/04/20 - Senate passed with amendment 3 (018051), which deletes all language after the enacting clause. Defines terms related to an including short-term rental unit marketplace . Requires these marketplaces to collect and remit any local tax on the occupancy of a room by a transient to the Department of Revenue (DOR). Authorizes the DOR to deduct 1.125 percent of the collected tax to cover any costs related to the collection and distribution of this tax for local governments. Defines the term transferred as it relates to regulations governing Short Term Rental Property (STRP) by local governments. Requires parcels of real property which serve as the principal residence of the owner and contain one short-term rental unit to be assessed as residential property.

3. HB1857 Hill T. **LOCAL GOVERNMENT: Disposal of real property by county.** Authorizes a county, upon two-thirds vote of the county legislative body, to dispose of real property at a nominal cost by private negotiation and sale to a 501(c)(3) nonprofit corporation, incorporated under the laws of this state, whose purpose includes educational services to youth in areas including health, science, agriculture, and civic engagement through in-school and after-school programs and school and community clubs and camps.
Fiscal Note: (Dated February 1, 2020) Decrease Local Revenue Exceeds \$1,000/FY20-21 and Subsequent Years/Permissive Decrease Local Expenditures Exceeds \$500/FY20-21 and Subsequent Years/Permissive
Senate Status: 03/02/20 - Senate passed.
House Status: 06/04/20 - Set for House Finance, Ways & Means Subcommittee 06/10/20.
Meetings: Tue 2/25/20 10:30am - Senate Hearing Rm I, Senate State & Local Government Committee; Mon 3/2/20 4:30pm - Senate Chamber, Senate Consent 2; Tue 3/10/20 4:30pm - House Hearing Rm IV, House Property & Planning Subcommittee; Wed 6/3/20 2:00pm - House Hearing Rm I, House Local Committee; Wed 6/10/20 4:00pm - House Hearing Rm I, House Finance, Ways & Means Subcommittee; SB1862 - J. Lundberg - 03/02/20 - Senate passed.

Thu 6/11/20 11:00am - House Hearing Rm I, House Finance, Ways & Means Committee

MEMBERS: CHAIR S. Lynn (R); VICE CHAIR P. Hazlewood (R); J. Coley (R); J. Shaw (D); R. Staples (D); J. Windle (D); J. Zachary (R); R. Tillis (R); J. Faison (R); D. Hawk (R); L. Miller (D); C. Todd (R); S. Whitson (R); R. Williams (R); J. Reedy (R); B. Ogles (R); C. Baum (R); K. Camper (D); J. Crawford (R); J. Deberry Jr. (D); R. Gant (R); G. Hicks (R); M. Hill (R); A. Holt (R); S. Kumar (R); W. Lamberth (R)

2. HB1949 Daniel M. **PUBLIC FINANCE: Allows agencies to use reserve funds to cover deficits.** Allows an agency, defined as a regulatory board, commission, or entity administratively attached to the division of regulatory boards within the department of commerce and insurance or the division of health related boards with the department of health, to use up to ten percent (10%) of their reserve funds to cover an operating deficit. Establishes requirements of the agency regarding their financial status and use of their reserve. Broadly captioned.
Amendment Summary: House State Committee amendment 1 (015027) deletes and rewrites all language after the enacting clause such that the only substantive changes are: (1) authorizes an agency to use its reserve fund if the agency did not collect fees sufficient to operate in the two most recent fiscal years, rather than the current fiscal year; (2) requires an agency to provide the Commissioner of the department of which the agency is administratively attached and the Joint Government Operations Committee, a five-year historical profile and a five-year projection of the agency's revenues and expenses; and (3) establishes that an agency is only authorized to use revenue funds to reimburse itself for non-recurring expenses, such as hardware and software, equipment, audit, vehicles, and legal expenses.
Fiscal Note: (Dated February 16, 2020) NOT SIGNIFICANT
Senate Status: 03/12/20 - Set for Senate Finance, Ways & Means Committee 03/17/20.
House Status: 06/04/20 - Set for House Finance, Ways & Means Committee 06/11/20.
Meetings: Tue 2/18/20 12:00pm - House Hearing Rm II, House Department & Agencies Subcommittee; Tue 2/25/20 10:30am - House Hearing Rm I, House State Committee; Tue 3/3/20 8:30am - CANCELED, Senate Finance, Ways & Means Committee; Tue 3/3/20 10:30am - CANCELED, House State Committee; Tue 3/10/20 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee; Tue 3/10/20 10:30am - House Hearing Rm I, House State Committee; Tue 3/17/20 3:30pm - CANCELED, House Finance, Ways & Means Subcommittee; Wed 6/3/20 12:30pm - House Hearing Rm III, House Finance, Ways & Means Subcommittee; Thu 6/11/20 11:00am - House Hearing Rm I, House Finance, Ways & Means Committee; SB2074 - M. Pody - 03/12/20 - Set for Senate Finance, Ways & Means Committee 03/17/20.
23. HB2201 Tillis R. **HEALTH CARE: Deletes manufactured home monitoring inspection fee.** Deletes the commissioner of the department of commerce and insurance's ability to charge a monitoring inspection fee to manufactured home manufactures for each home produced in this state. Broadly captioned.
Amendment Summary: Senate Transportation Committee amendment 1, House Transportation Committee amendment 1 (015250) deletes all language after the enacting clause. Requires that the transportation of mobile homes occur only between sunrise and sunset, Monday through Saturday, except on holidays. Deletes the length requirements for mobile homes. Requires a permit for the transportation of a mobile home over 120 feet in length, including the towing vehicle. Sets the permit fee for a one-time trip at \$25 and an annual permit at \$2000. Deletes and replaces the mobile home fee schedule. Extends the length of mobile homes authorized for permits from those exceeding 16 feet in width to 18 feet in width. Restricts mobile homes exceeding 16 feet in width from only receiving single trip permits. Establishes the fee schedule as \$50 for single trip permits, eight feet, six inches wide to 14 feet wide, \$100 for single trip permits, eight feet, six inches wide to 16 feet wide, \$200 for single trip permits, 16 feet wide to 18 feet wide, \$1000 for annual permits, eight feet, six inches wide to 14 feet wide and \$2000 for annual permits, eight feet, six inches wide to 16 feet wide.
Fiscal Note: (Dated January 26, 2020) Decrease State Revenue - \$628,400/FY20-21 and Subsequent Years /Manufactured Housing Fund
Senate Status: 03/16/20 - Re-referred to Senate Calendar Committee.
House Status: 06/04/20 - Set for House Finance, Ways & Means Committee 06/11/20.
Meetings: Wed 2/26/20 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee; Tue 2/25/20 9:00am - House Hearing Rm III, House Safety & Funding Subcommittee; Wed 3/4/20 10:00am - Senate Hearing Rm I, Senate Transportation & Safety Committee; Wed 3/4/20 12:30pm - House Hearing Rm II, House Transportation Committee; Wed 3/11/20 11:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee; Wed 3/11/20 10:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee; Tue 3/17/20 3:30pm - CANCELED, House Finance, Ways & Means Subcommittee; Mon 3/16/20 4:30pm - Senate Chamber, Senate Floor; Wed 6/3/20 12:30pm - House Hearing Rm III, House Finance, Ways & Means Subcommittee; Thu 6/11/20 11:00am - House Hearing Rm I, House Finance, Ways & Means Committee; SB1775 - B. Massey - 03/16/20 - Re-referred to Senate Calendar Committee.

