

# NCBA BILL TRACKER

## HOUSE BILLS – 2023

**CODE: S=Support; N=Neutral or No Position; O=Opposed; Updated: October 24, 2023**

BILL NUM.	SHORT TITLE	NCBA POS.	INTRO DATE	HOU. COM.	FULL HOU.	SEN. COM.	FULL SEN.	GOV SIGN	COMMENTS
<a href="#">H 20</a>	Cash Commitment Act	N	1/25/23	4/27/23	5/3/23				Prohibits retail businesses from refusing cash payments; “retail” is broadly written; could include transactions with banks; amended to state that it doesn’t require a person to accept \$50 bills or any larger bill
<a href="#">H 48</a>	Disapprove Appraisal Board Rules	N	2/2/23	3/29/23	4/4/23				Delays rules that would have changed education and experience requirements for appraisers as a way to increase the number of appraisers doing business
<a href="#">H 64</a>	Fee on Wire Transfers	N	2/7/23						Proposes a 4% fee on the amount of an international wire transfer
<a href="#">H 105</a>	Elderly Prop. Tax Appreciation Exclusion	N	2/13/23						As the name implies, allows for deferred taxes; a mortgagee or trustee may elect to pay the deferred tax; similar to S 563
<a href="#">H 127</a>	<del>DOI Omnibus Bill. AB</del>	N	2/15/23						<del>Of limited interest; includes possible changes related to workers’ compensation policies</del>

H 131	Protect NC Ed. Savings & Investment Accounts	N	2/15/23	2/22/23	3/1/23				Protects funds in education savings accounts from liens and garnishment
H 146	Taxpayer Protection Act	N	2/20/23						Proposes NC Constitutional limits on the growth of state spending
H 181	Unclaimed Property Division Changes.-AB	N	2/22/23	4/4/23	5/3/23	5/24/23	6/28/23	7/10/23	SL 2023-88; recognizes that (before potential escheatment) a holder of unclaimed property may use a third party to provide written notice to the apparent owner's address
<del>H 189</del>	<del>Freedom to Carry NC</del>	<del>N</del>	<del>2/23/23</del>						<del>Expands ability to carry a gun; still retains limits on carrying on private premises like banks where a no-concealed weapons notice is posted</del>
H 193	Various Court Changes	N	2/23/23	4/5/23	4/19/23	6/14/23	6/29/23	7/21/23	SL 2023-103; among other things, would authorize the courts to establish rules on use of credit and debit cards, and electronic payments, for payment of judgments
H 208	Low-Income Housing Tax Credits	N	2/27/23						Of limited interest; as the name suggests
<del>H 209</del>	<del>Consumer Credit Card Protection Act</del>	<del>N</del>	<del>2/27/23</del>						<del>Would prohibit imposing an extra charge for payment by credit or debit card but would allow for a</del>

									discount for payment by cash; broad application <del>that could also cover payments to a bank</del>
H 228	Rev. Laws Tech., Clarifying, & Admin. Chngs	N	2/28/23						Likely no longer relevant given that H 259, the 2023 Appropriations Act, became the state budget bill
H 237	Criminal Law Revisions	N	3/1/23	4/19/23	5/3/23				Creates a new criminal statute related to money laundering; increases the penalty for a crime by one class higher if a person wears a mask or other clothing or “device” to conceal the defendant’s identity
H 246	Revise Pharmacy Benefits Manager Provisions	N	3/1/23	4/25/23	4/27/23				Could drive up costs for filling prescriptions; See p. 5 provision related to health savings accounts
H 259	2023 Appropriations Act	N	3/2/23	4/3/23	4/6/23	5/16/23	5/18/23	10/3/23; became law w/o Gov.’s signature	State budget; SL 2023-134
H 410	Credit Union Update	O	3/16/23	4/20/23	4/27/23				Dramatically increases credit union fields of membership and powers w/o addressing fundamental imbalance in tax policy and oversight; No movement to date in Senate given strong opposition

H 417	Anti-Boycott Divestiture	N	3/20/23						An environmental, social, and governance (ESG) bill to require the State Treasurer to adopt a policy prohibiting state investments in companies that boycott energy companies; tracked to make sure the scope of the bill doesn't expand
H 463	NC Farmland and Military Protection Act	N	3/23/23	4/5/23	4/26/23				Seeks to limit the purchase of certain land by "foreign governments designated as adversarial" by the U.S. Dept. of Commerce; Also limits acquisition by entities where the foreign government has a controlling ownership interest in the entity; voids any transfer of an interest in land that is in violation
H 469	Foreclosures/Extend Servicemember Protections	N	3/23/23	4/5/23	4/19/23				Expands the protection from foreclosure/power of sale during active duty military service plus 365 days afterward (up from 90 days)
H 481	Modernize Debt Settlement Prohibition	N	3/27/23	4/5/23	4/25/23				Makes debt settlement/debt adjusting an unfair trade practice; numerous exemptions for legitimate transactions; focus is on conduct that

									siphons debtor money with false promises and doesn't actually help discharge or reduce debts
H 495	Aggregation of Multiple Financial Crimes	N	3/28/23	4/26/23	4/26/23				Provides that two or more of the same financial crime offenses may be aggregated together for sentencing purposes if certain criteria are met
H 518	Equality for All	N	3/29/23						Unlikely to advance as there are no Republican sponsors; See Section 4.1: Discrimination by lenders prohibited; identical to S 398
H 537	Workforce Housing Act	N	3/29/23						Among other things, changes certain zoning laws and classifications to try to increase the supply of multifamily housing; proposes appropriations for various workforce programs
H 542	HOA Revisions/Foreclosure Trustee Auctions	N	3/30/23	4/26/23	5/3/23	6/27/23	9/12/23		9/21/23 and 10/5/23 – conference committees appointed to resolve House and Senate differences; makes changes to the powers of homeowners associations; Section 11 deals with foreclosures under power of sale and provides that a sale not held on the premises being sold can

									be held at the courthouse door in the county or counties in which the property is situated or at another public location within the county as designated by the mortgagee or trustee; also permits the sale to take place up to three hours after the time designated and allows for remote bids
H 561	North Carolina Coerced Debt Relief Act	N	4/3/23	4/19/23	5/3/23				Exempts secured debts; creates an avenue for a victim of domestic violence to get relief from a coerced debt incurred under duress from an abuser
H 562	Addressing the Workforce Housing Crisis	N	4/4/23						Loosens zoning laws to allow for more construction of workforce housing
H 564	<del>Second Amendment Financial Privacy Act</del>	<del>N</del>	<del>4/4/23</del>	<del>4/27/23</del>					<del>Bars use of a firearms code in connection with a payments card transaction; has an exemption for banks holding federally insured deposits; could still be an issue for bank subsidiaries</del>
H 572	<del>State Infrastructure Bank Study</del>	<del>N</del>	<del>4/5/23</del>	<del>4/27/23</del>					<del>Would establish a legislative commission to study creating a state-owned bank to fund</del>

									infrastructure and other projects; would also study “[t]he extent to which the State Infrastructure Bank should be allowed to compete with banking establishments operating in North Carolina”
H 588	Heirs Property Study	N	4/6/23	4/26/23	5/3/23				Was identical to S 548; changed into a directive that the Legislative Research Commission study the Uniform Partition of Heirs Property Act
H 600	Regulatory Reform Act of 2023	N	4/13/23	5/3/23	5/4/23	6/7/23	6/28/23	10/10/23; veto overridden	SL 2023-137; of limited interest; tracked out of an abundance of caution as a technical corrections bill often pulls in provisions that previously were in separate bills
H 614	Amend NC Const./Right to Work	N	4/13/23						Would change the NC Constitution to, among other things, bar any employer requirements that persons join a labor organization or that a person abstain from being a member of one
H 662	Small Business Truth in Financing	N	4/17/23						See S 539; substantially similar
H 741	Modify/Nonprofits & Charitable Solicitation	N	4/18/23	5/31/23	6/28/23				Of limited interest for customer identification purposes as it relates to annual report

									requirements and new procedures for domesticating out-of-state nonprofits
H 750	Address ESG Factors	N	4/18/23	5/3/23	5/3/23	6/6/23	6/13/23	6/27/23; veto overridden	SL 2023-64; see S 737; substantially similar; narrow application that doesn't apply to banks so much preferable to other ESG bills
<del>H 781</del>	<del>Fair Access to Financial Services Act</del>	<del>Ø</del>	<del>4/18/23</del>	<del>4/27/23</del>					<del>An environmental, social, and governance (ESG) bill; see S 369; substantially similar; includes the potential penalty of revoking a financial institution's charter; however, "[a]n entity that is chartered or supervised by a federal agency or agency of another state" is exempt, which would suggest that banks are exempt given the role of FDIC, Fed, or OCC as a regulator; had an earlier Appropriations Committee referral that was later struck; appears to have been subject to the May 4 crossover deadline</del>
H 784	Financial Institutions/ESG Factors	Ø	4/18/23	4/27/23					Another ESG bill; shorter than H 781 but still very problematic; no broad exemption; placement in

									Chapter 53C suggests that it would apply to NC state-chartered banks
H 826	Protect Law Enforcement/Judges Personal Info.	N	4/18/23						Would remove certain information from government websites for judges, law enforcement officers and others; could adversely impact the ability to perform title searches; similar to bills in prior sessions
H 866	Earned Wage Access Services	N	4/25/23						Would authorize and regulate the offering of earned wage access services/earlier access to a person's pay; see also S 442
H 873	Modernize Income Tax of Trusts and Estates	N	4/25/23						Appears directed at resolving issues stemming from the 2019 U.S. Supreme Court decision in the Kaestner case (the presence of in-state beneficiaries alone does not empower taxation of trust income that has not been distributed to the beneficiaries, where the beneficiaries have no right to demand income and may never receive any)

**SENATE BILLS – 2023**

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BILL NUM.	SHORT TITLE	NCBA POS.	INTRO DATE	SEN. COM.	FULL SEN.	HOU. COM.	FULL HOU.	GOV SIGN	COMMENTS
S 3	NC Compassionate Care Act	N	1/25/23	2/21/23	3/1/23				Would legalize medical marijuana/cannabis; creates a supply system with licensed cannabis production facilities and distribution through medical cannabis centers; however, without action by Congress like through S 1323 / HR 2891 (SAFE Banking Act of 2023), banks and their employees would risk violating federal law in providing services due to marijuana's classification as a Schedule I controlled substance
S 42	C-PACE Program	N	1/31/23						Proposes a statewide commercial property assessed clean energy program; in the absence of changes to the NC Constitution would likely be unconstitutional due to conflict with Article V, Section 2
S 54	Confirm Katherine Bosken, Comm. Of Banks	S	2/1/23	3/14/23	3/16/23	3/21/23	3/22/23	N/A	Ch. Res. 2023-5
S 110	GSC Uniform Prop. Disp. at Death Act	N	2/15/23	2/28/23	3/7/23				Of limited interest; as the name suggests;

									recommended by the General Statutes Commission
<del>S 160</del>	<del>Transfer on Death Deeds</del>	N	2/23/23						<del>Would enact Uniform Real Property on Death Act; would allow the designation of beneficiaries on vehicular certificates of title</del>
S 174	Rev. Laws Tech., Clarifying, & Admin. Chngs	N	2/28/23	3/1/23	3/9/23	3/14/23	3/22/23	4/3/23	SL 2023-12
S 176	Consumers in Crisis Protection Act	N	2/28/23	6/21/23	8/16/23				Would authorize and regulate consumer legal funding transactions
S 194	Student Borrowers' Bill of Rights	N	3/2/23						Identical to S 196; exempts banks and their subsidiaries
S 196	Student Borrowers' Bill of Rights	N	3/2/23						Identical to S 194
<del>S 217</del>	<del>Real Property Tenancy in Common Changes</del>	N	3/7/23						<del>Of limited interest; to codify the law of tenancy in common as suggested by the NC Bar Association</del>
S 218	Estates & Trusts Changes	N	3/7/23	5/2/23	5/4/23	8/16/23	8/16/23	9/14/23	SL 2023-120; as the name suggests; of limited interest; filed at the request of the NC Bar Association
S 329	Retail Installment Sales Act Amendments	N	3/16/23	4/25/23	4/27/23	6/6/23	6/7/23	6/27/23; veto overridden	SL 2023-60; increases permissible interest rates on consumer credit installment sales contracts
S 331	Consumer Finance Act Amendments	N	3/20/23	4/4/23	4/6/23	6/7/23	6/7/23	6/27/23; veto overridden	SL 2023-61; of limited interest; changes usury rates for loans by

									consumer finance companies
<a href="#">S 369</a>	<del>Fair Access to Financial Services Act</del>	Ø	3/23/23						An environmental, social, and governance (ESG) bill; see H 781; appears to have been subject to the May 4 crossover deadline
<a href="#">S 398</a>	<del>Equality for All</del>	N	3/30/23						Identical to H 518
<a href="#">S 439</a>	<del>Foreclosure Trustee Auctions</del>	N	3/30/23						Among other things, would allow for remote bidding at a foreclosure sale
<a href="#">S 442</a>	Earned Wage Access Services Act	N	3/30/23						Would authorize and regulate the offering of earned wage access services/earlier access to a person's pay; see also H 866
<a href="#">S 477</a>	Amend Bus. Corp. Act/Bus. Opp. Disclosures	N	4/3/23	4/25/23	5/4/23	8/16/23	9/19/23	9/29/23	SL 2023-130; among other things, amends Chapter 55, the business corporation chapter, to provide for the use of email in communicating with shareholders
<a href="#">S 525</a>	Consumer Privacy Act	N	4/3/23						Currently exempts financial institutions and affiliates
<a href="#">S 539</a>	Small Business Truth in Financing	N	4/4/23						Currently exempts financial institutions, holding companies, subsidiaries and certain affiliates
<a href="#">S 548</a>	<del>Uniform Partition of Heirs Property Act</del>	N	4/4/23						Was identical to H 588 at the time of filing of both

S 552	Modifications to Notary Public Act	N	4/4/23	5/31/23	6/8/23	6/21/23	6/21/23	6/23/23	SL 2023-57; updates the law on video and electronic notarization
S 563	Elderly Prop. Tax Appreciation Exclusion	N	4/4/23						Addresses the possibility a mortgagee or trustee may elect to pay an owner's deferred property tax; similar to H 105
<del>S 605</del>	<del>No Forced Microchip Implants for Employees</del>	<del>N</del>	<del>4/5/23</del>						<del>As the name suggests</del>
S 651	Tax Relief for All	N	4/5/23						Was a Senate budget placeholder bill; no longer relevant with the passage of H 259
<del>S 679</del>	<del>NC Public Finance Protection Act</del>	<del>N</del>	<del>4/6/23</del>						<del>An ESG bill; appears to be limited to fiduciaries who help manage NC state/local government/school public pension/benefit plans</del>
<del>S 721</del>	<del>Uniform Worker Classification Act</del>	<del>N</del>	<del>4/6/23</del>						<del>Proposes a series of tests for a person to be deemed an independent contractor; otherwise classified as an employee</del>

S 737	Address ESG Factors	N	4/6/23	4/25/23	5/3/23				As filed, prohibited state and local governments from using ESG data or factors in hiring, firing, or evaluating employees; also imposed a requirement upon fiduciaries that help administer the NC state/local government/school pension or benefit plans to prioritize rate of return instead of non-pecuniary factors; see H 750 instead
S 738	Tax Deduction for Certain Mortgage Income	N	4/6/23						Allows banks to exclude interest, fees, and penalties from certain loans from the total receipts (income/market-based sourcing) calculation; applies to a subset of agricultural loans or single-family residence loans in certain rural areas