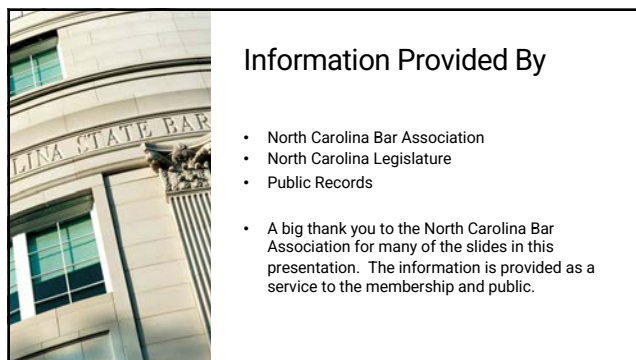




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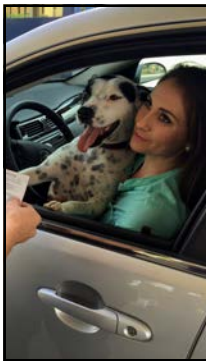


3

General Statutes Commission: Licensing Boards and Commissions

- House Bill 68 makes various changes to statutes governing licensing boards. Primarily, the bill eliminates provisions that broadly criminalize violations of licensing boards' and commissions' rules and makes other technical and conforming amendments. The changes regarding the elimination of provisions that criminalize violations of licensing board rules apply to the following licensing boards:
 - State Banking Commission
 - Cemetery Commission
 - Private Protective Services Board
 - Alarm Systems Licensing Board
 - State Board of Examiners of Electrical Contractors
 - State Board of Dental Examiners
 - State Board of Examiners in Optometry
 - State Board of Examiners for Nursing Home Administrators
 - State Board of Environmental Health Specialist Examiners
 - Medical Care Commission
- The bill became effective December 1, 2021, and applies to offenses committed on or after that date. Section 12 of the bill provides that the act does not affect prosecutions for offenses committed before December 1, 2021.

4



Omnibus DMV Bill HB 650

- Makes changes to laws relating to motor vehicles, dealers and manufactures and other similar changes including:
- Section 3 modifies current law that prohibits any person from making color photocopies or reproduction of drivers licenses and other ID cards by providing an exception for licensed lenders and motor vehicle dealers who make copies in the ordinary course of business for loan applications

5



Modification of Business Corporation Act; SB 507

- Section 1 extends existing provisions relating to voting of shares held by subsidiary entities that are not corporations.
- Section 2 clarifies the authority of the board of directors to fix the compensation of directors for services in any capacity as director.
- Section 3 provides that, except as otherwise fixed in the articles of incorporation or bylaws, a majority of a board of directors constitutes a quorum.

6



Modification of Business Corporation Act; SB 507

- Section 4 allows the board of directors of a corporation with a single class of shares outstanding to change the corporate name without shareholder approval.
- Section 5 provides that in a superior court proceeding brought by a shareholder seeking an appraisal, the shareholder bears the burden of proof in showing they are entitled to appraisal rights. If the court determines that the shareholder is not entitled to appraisal rights, the court is required to dismiss the proceeding as to the shareholder.

7

Modification of Business Corporation Act; SB 507

- Section 6 makes a number of changes to the law governing corporate records and shareholder inspection rights, including:
 - Eliminating the requirement for particular records to be maintained at the corporation's principal office.
 - Requiring all relevant records to be maintained in a manner permitting them to be made available for inspection within a reasonable time.
 - Placing limits on the use and distribution of records subject to qualified inspection rights or financial statements being delivered to a shareholder.
 - Permitting corporations to make records available electronically.
 - Providing greater flexibility in the method by which a corporation makes financial statements available to qualified shareholders.
- The majority of the bill became effective October 1, 2021, and the provisions related to demands for inspection and requests for financial statements received by a corporation apply on or after that date. The remainder of the bill became effective August 16, 2021.

8



Modernize Remote Business Access; HB 320

Authorizes meetings of corporation shareholders, nonprofit corporations (501(c)(3) businesses, homeowners' associations, etc.), and mutual insurance company policy holders to be held solely by means of remote participation.

The bill also exempts not for profit corporations formed prior to enactment of the Business Corporation Act (July 1, 1989) from being required to have at least one class of shares with unlimited voting rights.

This bill became effective on September 20, 2021, and applies to meetings noticed on or after that date.

9



Neighborhood Occupant-less Vehicle; HB 814

- Defines neighborhood occupant-less vehicle as a specific type of fully autonomous vehicle used to transport goods without a human occupant and authorizes its operation on highways with certain restrictions and equipment requirements.
- Under the bill, neighborhood occupantless vehicles would also be subject to general provisions in Chapter 20 (operation of motor vehicles) and to provisions applicable to fully autonomous vehicles under Article 18 of Chapter 20.
- The bill became effective on December 1, 2021.

10



Board of Architects/Interior Designers; SB 188

- Establishes a framework governing the scope of practice for interior designers, authorizes interior designers to apply for building permits for interior construction projects, establishes fees for interior designer registration, and increases fees for architect licensure.

11



2021 Building Code and Dev. Reg. Reform; HB 489

- Effective January 1, 2022, the State Licensing Board for General Contractors (Board) is authorized to require criminal background checks for general contractor licensure applicants, approve providers and instructors for general contractor continuing education courses, require affiliated instructors to be registered with the Board, allow licensees who do not complete their continuing education requirement to request an "inactive status" annually, and adopt temporary rules to implement this act.
- Additionally, if the Board prevails on injunctive actions enforcing its rules or regulations, the court must award the Board up to \$5,000 plus court costs.

12



Prohibit Possession of Skimming Devices; HB 238

- Adds the definition of a skimming device to the Financial Transaction Card Crime Act and makes the possession, sale, or delivery of a skimming device a Class 1 felony. The bill became effective December 1, 2021, and applies to offenses committed on or after that date.

13



2021 Administrative Office of the Court Legislative Changes SB 255

- Notice of Rights/Exemptions
- Removes the requirement to serve a notice of rights to claim exceptions to a judgment debtor before a writ of execution or possession can be issued if the exemptions are inapplicable under G.S. 1C-1601(e), and deletes a provision that states the exemptions provided in Article X of the North Carolina Constitution are waived if a judgment debtor fails to request a hearing within 20 days of being served with a notice of rights. (This Section is applicable to motions and petitions filed on or after June 18, 2021).

14



2021 Administrative Office of the Court Legislative Changes SB 255

Allows for Court Proceedings, on or after June 18, 2021, to be conducted by audio and video transmission when certain requirements are met.

Requires written settlement agreements reached during mediation to be signed by the designee of the party against whom enforcement is sought in order to be enforceable. Applies to all settlement agreements reached on or before June 18, 2021.

15

North Carolina Farm Act of 2021 SB 605

- Makes it a Class G felony to (i) knowingly and willfully cut down, injure, or remove timber owned by another person without the consent of the owner of the land or timber, or other legal authority, unless a good faith exception for electric power supplier employees or agents applies (under certain circumstances) and (ii) to buy timber directly from the owner of the timber and fail to pay by the date specified in the written agreement or within 60 days of the date the buyer removes the timber from the property.
- Requires defendants convicted of larceny of timber to pay restitution to the owner of the timber for three times the value of the timber.
- Allows the owner in a civil action to recover triple the value of the wood, timber, shrub, or tree from a person who violates G.S. 1-539.1.

16



Landlord/Tenant Changes; SB 644

- Clarifies and reaffirms the statutory authority of landlords to recover out-of-pocket expenses and litigation costs in summary ejectment proceedings and makes various other changes to landlord/tenant statutes.
- Part I reaffirms existing law, providing that landlords are permitted to charge, and recover from, a tenant certain out-of-pocket expenses, including filing fees charged by the court, certain service costs, and reasonable attorneys' fees incurred in summary ejectment proceedings.
- Part I became effective on July 2, 2021, and applies to all pending controversies as of that date.

17

Questions?

If you have any questions or comments, please let us know.

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A photograph of a light brown dog sitting and looking up at a hand reaching down towards it. The dog is wearing a collar with a tag.

18

Vann Attorneys, PLLC 19

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