

North Carolina A&T State University  
Office of the Chancellor  
Friday, May 12, 2023

Legislative update

North Carolina General Assembly

On Thursday, May 4<sup>th</sup>, the House and Senate completed all bills subject to the crossover deadline. It is anticipated that the Senate will release their budget the week of May 15<sup>th</sup>.

We have discussed several of the bills listed below. We discussed a few of the bills during the last Board of Trustees meeting. However, there are additional bills that developed which would affect North Carolina A&T State University and the UNC System that we have not discussed.

Below are the bills that met the crossover deadline. The bills highlighted in yellow are the bills we have discussed with Cabinet and/or the Board of Trustees.

House

**HB 96 NC REACH Act**

House Bill 96, the North Carolina Reclaiming College Education on America's Constitutional Heritage Act (NC REACH Act), would require a three-credit hour course in American history or American government. The requirement would apply to all students pursuing a bachelor's degree at a UNC System institution or an associate's degree at a North Carolina Community College.

- Primary Sponsors: Rep. Keith Kidwell (Republican – District 79), Rep. Jon Hardister (Republican – District 59), Rep. Ray Pickett (Republican – District 93)

**HB 317 (=S195) UNC Omnibus**

House Bill 317 includes our "County Operations Support Staff" legislative priority, which would change the General Statute to include certain staff as exempt from the State Human Resource Act. In addition to our legislative priority (part 1), part 2 of the bill would include the North Carolina School of Science and Math in the "Distinguished Professor Endowment Fund" and part 3 of the bill would give the UNC Board of Governors, rather than the State, authority over "certain Fair Labor Standards Act (FSLA-exempt) employees of the university."

- Primary Sponsors: Rep. Jon Hardister (Republican – District 59), Rep. Ray Pickett (Republican – District 93), Rep. Hugh Blackwell (Republican – District 86), Rep. Zack Hawkins (Democrat – District 31)

### [HB574 Fairness in Women's Sports](#)

House Bill 574 would set parameters for athletic eligibility in institutions of higher education. Applying to the UNC System, any community college “under the jurisdiction of the State Board of Community Colleges,” and private North Carolina institutions. It would require each collegiate sports program to “expressly designate” the sex (reproductive biology) of any given team. The rule would apply to any sports program at the collegiate level that has eligibility requirements established by a national association, “including the National Collegiate Athletic Association (NCAA), the National Association of Intercollegiate Athletics (NAIA), and the National Junior College Athletic Association (NJCAA).”

- Primary Sponsors: Rep. Jennifer Balkcom (Republican – District 117), Rep. Karl Gillespie (Republican – District 120), Rep. Erin Paré (Republican – District 37)

### [HB607 Prohibit Compelled Speech/Higher Education](#)

House Bill 607 would “prohibit compelled speech” at constituent institutions within the UNC System and the N.C. Community College System. The bill would enact the same protections for both systems, making it unlawful to require students or employees to “endorse or describe their actions related to matters of contemporary political debate or social action.” It would apply to student admission applications, as well as employment applications or consideration for professional advancement.

- Primary Sponsors: Rep. Steve Tyson (Republican – District 3), Rep. Destin Hall (Republican – District 87), Rep. Ken Fontenot (Republican – District 24)

### [HB895: House BOG Elections](#)

House Bill 895 articulates the re-election of the following four members of the UNC Board of Governors and adds two new members:

- (1) Dr. Pearl Burris-Floyd of Gaston County.
- (2) C. Philip Byers of Rutherford County.
- (3) Swadesh Chatterjee of Wake County. – (NEW)
- (4) R. Gene Davis, Jr., of Wake County. – (NEW)
- (5) H. Terry Hutchens of Cumberland County.
- (6) J. Alex Mitchell of Chatham County.

- House Standing Committee: Rules, Calendar, and Operations of the House

## Senate

### [SB 574 Authorize NIL Agency Contracts](#)

Senate Bill 574 would authorize “name, image, and likeness” agency contracts for collegiate athletes, and certain contracts would be exempt from public-records requests. The NIL contracts would allow athletes to make money from the marketing of their names, images, or likeness. Included in the bill is language directing students to consult with their institutions before entering such a contract, because conflicts with state law or institutional policies may prohibit students from being able to compete as athletes.

- Primary Sponsors: Senator Amy Galey (Republican – District 25), Senator David Craven (Republican – District 29), Senator Steve Jarvis (Republican – District 30)

#### SB 680 Revise Higher Education Accreditation Processes

Senate Bill 680 would aim to revise the accreditation process for both the UNC System and the N.C. Community College System by creating a commission to study the accreditation process. The bill also proposes changes to the accreditation processes for both systems.

- Primary Sponsors: Senator Michael Lee (Republican – District 7), Senator Amy Galey (Republican – District 25), Senator Phil Berger (Republican – District 26)

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#### \*\*HB715 Higher Education Modernization & Affordability Act

House Bill 715 did not clear the crossover deadline; however, we should not assume the efforts to advance this bill has ceased. The bill would “prospectively eliminate academic tenure and establish uniform contracting procedure for faculty” at UNC System Institutions and N.C. Community Colleges. The bill also includes several other higher education changes. It would establish minimum class sizes, require every university and community college to prepare a report of “all noninstructional research performed by higher education personnel at an institution”, and changes to the power and duties of the Board of Trustees.

- Primary Sponsors: Rep. David Willis (Republican – District 68), Rep. Destin Hall (Republican – District 87), Rep. Ray Pickett (Republican – District 93), Rep. Jake Johnson (Republican – District 113).