



North Carolina NOW Legislative Update 22 February 2021

This week the legislature passed a bill (SB37, In-Person Learning Choice for Families) that would require school districts to offer the option of in-person learning. However, the Governor is not satisfied with the bill and wants to have more discussions with legislators before he decides how to act.

In particular, the Governor believes any bill should require schools to comply with N.C. Department of Health and Human Services guidelines for in-person learning, which include social distancing for middle and high schools. The bill does include a mask requirement for all schools. He also wants local school districts to have flexibility to respond to emergencies without being "hampered" by legislation. Governor Cooper noted, "The bill just passed fails on both these fronts. It is critical for students and teachers that we get this right."

This Republican-sponsored bill has enough support from Democrats to override a veto by the governor. If the governor does not sign the bill in 10 days, it will become law without his signature.

For more details, see: <https://www.newsobserver.com/news/politics-government/article249295600.html#:~:text=The%20North%20Carolina%20state%20legislature,voted%2077%2D42%20on%20Wednesday>.

Census data needed to reapportion Federal and state legislative districts will be delayed until September 30, which means that it is unlikely that redistricting will be done this session. It also means that municipalities that need to redraw districts may not be able to hold their 2021 elections on schedule. See:

<https://www.npr.org/2021/02/12/965823150/6-month-delay-in-census-redistricting-data-could-throw-elections-into-chaos>

No new bills to track and no action on the bills being tracked.

HOUSE BILLS

HB8 (=SB15) NC Adopt ERA: An act to ratify the Equal Rights Amendment to the U. S. Constitution.

1/28/21: House Rules

HB31 Detected Heartbeat/Prohibit Abortion: An act to prohibit abortion after the embryo has a “detectable heartbeat” except in medical emergencies. This bill is a de facto ban on all abortions because a “fetal heartbeat” can be detected at six to seven weeks of pregnancy—generally before a woman even knows she is pregnant. The term “fetal heartbeat” itself is controversial because at six weeks the embryonic cardio-vascular system is so immature that what is present has been described as “a group of cells with electrical activity.” Another problem with these bills is that when a so-called “heartbeat” can be detected varies widely depending on the technology used. In 2015 North Dakota’s fetal heartbeat bill was ruled unconstitutional by the Supreme Court. New versions have been re-introduced in several states in hopes that one will reach the Supreme Court and be upheld.

2/01/21: Health

HB33 Broaden Applicability of DV Statutes: It is shocking, but North Carolina's current domestic violence statutes apply only to couples of the opposite sex—which means same sex couples are denied both protection and services. This act remedies the situation by removing gendered language from the law.

2.02/21: Judiciary 3

HB41 (=SB36) Amend Lawful Age to Marry/18 Years of Age: An overdue reform of North Carolina’s marriage law that currently allows marriage at age 16 with parental consent and at age 14 if there has been cohabitation, pregnancy or a child born to the parties who marry. This law would raise the age to 18 with no exceptions.

2/03/21: Families, Children, and Aging

SENATE BILLS

SB15 (=HB8) NC ADOPT ERA: An act to ratify the Equal Rights Amendment to the U. S. Constitution.

1/28/21: Filed

SB36 (=HB41) Amend Lawful Age to Marry/18 Years of Age: An overdue reform of North Carolina’s marriage law that currently allows marriage at age 16 with parental consent and at age 14 if there has been cohabitation, pregnancy or a child born to the parties who marry. This law would raise the age to 18 with no exceptions.

02/02/2021: Senate Rules