Legislative Update December 11 2024

The North Carolina House reconvened today (December 11) for its final session of the year, focusing primarily on overriding Governor Roy Cooper's veto of Senate Bill 382, Disaster Relief-3/Budget/Various Law Changes. The Senate met on December 2 and voted to override the Governor’s veto along party lines. Senate Bill 382 contained some disaster relief provisions, but also restructured elements of state government and included various other provisions. A more detailed summary of Senate Bill 382 is below.

During the initial vote on the bill, three Republicans from Western North Carolina opposed the bill. There was much speculation about whether these three Republicans would vote to override – for without all three votes, the Republicans may not have the 72 votes they need to override the veto. Ultimately the three House Republicans voted to override the veto, and the veto was overridden by a vote of 72-46, along party lines. Senate Bill 382 is now law.

In addition to the veto override, the House passed a constitutional amendment to require voter ID for in-person voting and for absentee ballots submitted by mail.  This constitutional amendment will appear on the November 2026 ballot.

With the close of today’s legislative session, the House and Senate are officially adjourned for 2024. The General Assembly will reconvene on January 8 to swear in new legislators for the new biennium; and will be back in late January to start the long session. Without a Republican veto-proof supermajority in 2025, the dynamics between the General Assembly and incoming Governor-Elect Josh Stein could shift significantly, influencing the legislative agenda and the state's political landscape moving forward.

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Senate Bill 382, Disaster Relief-3/Budget/Various Law Changes, addressing disaster relief for Western North Carolina, technical budget adjustments, modifications to appointment powers and other powers of the executive branch, and various other technical and substantive law changes. The bill contains the following provisions:

·         Transfers $227 million from the Savings Reserve to the Helene Fund for hurricane relief efforts.

·         Allocates $33.75 million to continue the compensation grants portion of the Child Care Stabilization Grants, providing a third quarter of reduced funding.

·         Transfer the State Board of Elections from an independent agency under the Governor to the Department of the State Auditor. While the State Auditor will oversee the Board’s budget, they will not direct its management functions. The Auditor will assume responsibility for appointing members of the State Board and county board chairs. Key implementation milestones include:

* + New State Board appointed in May 2025**.**
  + New county boards and chairs appointed in June 2025.
  + Budget oversight transferred to the Auditor starting with the 2025-26 fiscal year**.**

·         Modifies the Governor’s appointment process and clarifies the Senate’s authority of advice and consent regarding appointments

·         Requires the Governor to fill Supreme Court and Court of Appeals vacancies from a list of three recommendations provided by the political party of the vacating judge or justice at the time of their election.

·         Removes the Attorney General's authority to intervene in matters before the NC Utilities Commissionand clarifies that the Judicial Departmentand Council of State agencies are not required to seek approval from the Attorney General or the Governor to retain private counsel.

·         Establishes the State Highway Patrol (SHP) as an independent, cabinet-level department, and transfers the State Capital Police and the License and Theft Bureau within the Division of Motor Vehicles to this new department. ALE is not transferred to this new agency.

* Eliminates one Governor-appointed seat on the NC Utilities Commission and assigns this appointment to the State Treasurer; and requires the Chair of the Utilities Commission to be elected by a vote of the Commission members (was, designated by the Governor)

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