



GENERAL STATUTES COMMISSION

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MEMORANDUM

To: House Judiciary 1
From: General Statutes Commission
Re: HB 103 (GSC Technical Corrections 2023)
Date: February 17, 2023

General Comments

This bill, recommended by the General Statutes Commission, contains corrections of a technical nature to the General Statutes and session laws. These technical corrections consist of modernizing the format of a list, correcting effective dates to reflect the legislative intent, making stylistic changes for greater clarity or consistency, making changes to conform to this State's drafting conventions, splitting up sentences for greater clarity, replacing legalese with plain English, removing unnecessary language, fixing punctuation, removing obsolete references, rewording terms for internal consistency, fixing typographical errors, fixing the format of citations, fixing capitalization, and making other conforming changes.

Specific Comments

Section 1(a) amends G.S. 90-186 to modernize the format of a list throughout the section and does the following:

- In subdivision (6), removes language that is currently in effect but that was intended by S.L. 2022-67 to have a contingent effective date, replaces legalese with plain English, and removes duplicative language.
- In the lead-in language, fixes the format of a citation.
- In subdivision (1), splits up a sentence for greater clarity, replaces legalese with plain English, and removes unnecessary language.
- In subdivision (2), fixes punctuation and makes a stylistic change for greater clarity.
- In subdivision (3), removes unnecessary language and splits up a sentence for greater clarity.
- In subdivision (4), fixes punctuation, removes an obsolete reference, and replaces legalese with plain English.
- In subdivision (7), removes unnecessary language, splits up a sentence for greater clarity, and replaces legalese with plain English.
- In subdivision (8), replaces legalese with plain English.

Section 1(b) amends G.S. 90-186, as amended by Section 1(a) of the bill, to add language that was intended by S.L. 2022-67 to have a contingent effective date.

Section 1(c) provides that Section 1(a) of the bill is effective retroactively to October 1, 2022, consistent with the effective date of the provision this technical correction is correcting. It also provides that Section 1(b) of the bill has a contingent effective date, consistent with the intent of S.L. 2022-67.

Section 2 amends G.S. 93B-8.1 as follows:

- In subsection (a), rewords terms for internal consistency.
- In subsection (b), changed "no . . . may" to "no . . . shall" to conform to this State's drafting conventions and fixes the format of an internal citation.
- In subsection (b1), rewords terms for internal consistency.
- In subsection (b2), adds lead-in language to introduce a list and rewords a term for internal consistency.
- In subsection (b3), modernizes a term and makes a stylistic change for greater clarity and to conform to this State's drafting conventions.
- In subsections (b4) and (b5), makes a stylistic change to conform to this State's drafting conventions.
- In subsection (b6), changes an indefinite article to a definite article, replaces legalese with plain English, fixes incorrect capitalization, makes stylistic changes for greater clarity, replaces a pronoun with a noun, and makes stylistic changes for greater clarity.
- In subsection (b7), makes an internal cross-reference more specific, removes unnecessary language, and replaces legalese with plain English.
- In subsection (b8), replaces legalese with plain English and formats language into a list for greater clarity.
- In subsection (c), makes stylistic changes for greater clarity and internal consistency.
- In subsection (c1), replaces legalese with plain English.

Section 3 amends G.S. 130A-440.1 as follows:

- In subsection (a), removes obsolete language and removes "garbage language" that was inadvertently left in the statute when previously amended.
- In subsection (a1), removes obsolete language and modernizes the format of a list.
- In subsection (c), (f), and (g), removes obsolete language.

Section 4(a) amends Section 7(c) of S.L. 2022-73 by adding a word that was inadvertently stricken by a previous amendment.

Section 4(b) makes the effective date of Section 4(a) consistent with the effective date of the provision it is amending.

Section 5(a) amends the introductory language of Section 15.3(f) of S.L. 2022-74 to correct the citation of the provision it is intending to amend.

Section 5(b) makes the effective date of Section 5(a) consistent with the effective date of the provision it is amending.

Section 6(a) amends Section 20.4(b) of S.L. 2022-74 to correct the citation of the provision it is intending to repeal.

Section 6(b) makes the effective date of Section 6(a) consistent with the effective date of the provision it is amending.

Section 7(a) amends the introductory language of Section 39.16 of S.L. 2022-74 to correct the citation of the provision it is intending to amend.

Section 7(b) makes the effective date of Section 7(a) consistent with the effective date of the provision it is amending.

The final section of this act provides that, except as otherwise provided, this act is effective when it becomes law.