

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

HOUSE BILL 262
RATIFIED BILL

AN ACT TO MAKE REFERENCES IN THE NORTH CAROLINA GENERAL STATUTES TO FEDERAL AND STATE MILITARY ORGANIZATIONS PROPER AND UNIFORM, AS DIRECTED BY SESSION LAW 2009-281, AS AMENDED BY SESSION LAW 2010-152, AND TO MAKE CONFORMING CHANGES AND OTHER TECHNICAL CORRECTIONS TO THOSE SECTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 1-82 reads as rewritten:

"§ 1-82. Venue in all other cases.

In all other cases the action must be tried in the county in which the plaintiffs or the defendants, or any of them, reside at its commencement, or if none of the defendants reside in the State, then in the county in which the plaintiffs, or any of them, reside; and if none of the parties reside in the State, then the action may be tried in any county which the plaintiff designates in ~~his~~ the plaintiff's summons and complaint, subject to the power of the court to change the place of trial, in the cases provided by statute; provided that any person who has resided on or been stationed in a United States ~~army, navy, marine corps, coast guard or air force~~ Army, Navy, Marine Corps, Coast Guard, or Air Force installation or reservation within this State for a period of one (1) year or more next preceding the institution of an action shall be deemed a resident of the county within which such installation or reservation, or part thereof, is situated and of any county adjacent to such county where such person stationed at such installation or reservation lives in such adjacent county, for the purposes of this section. The term person shall include military personnel and the spouses and dependents of such personnel."

SECTION 2. G.S. 7B-101(14) reads as rewritten:

"(14) Juvenile. – A person who has not reached the person's eighteenth birthday and is not married, emancipated, or a member of the ~~armed forces~~ Armed Forces of the United States."

SECTION 3. G.S. 7B-600(a) reads as rewritten:

"(a) In any case when no parent appears in a hearing with the juvenile or when the court finds it would be in the best interests of the juvenile, the court may appoint a guardian of the person for the juvenile. The guardian shall operate under the supervision of the court with or without bond and shall file only such reports as the court shall require. The guardian shall have the care, custody, and control of the juvenile or may arrange a suitable placement for the juvenile and may represent the juvenile in legal actions before any court. The guardian may consent to certain actions on the part of the juvenile in place of the parent including (i) marriage, (ii) enlisting in the ~~armed forces~~, Armed Forces of the United States, and (iii) enrollment in school. The guardian may also consent to any necessary remedial, psychological, medical, or surgical treatment for the juvenile. The authority of the guardian shall continue until the guardianship is terminated by court order, until the juvenile is emancipated pursuant to Article 35 of Subchapter IV of this Chapter, or until the juvenile reaches the age of majority."

SECTION 4. G.S. 7B-1501(17) reads as rewritten:

"(17) Juvenile. – Except as provided in subdivisions (7) and (27) of this section, any person who has not reached the person's eighteenth birthday and is not married, emancipated, or a member of the ~~armed forces~~ Armed Forces of the United States. Wherever the term "juvenile" is used with reference to rights and privileges, that term encompasses the attorney for the juvenile as well."



SECTION 5. G.S. 7B-2001 reads as rewritten:

"§ 7B-2001. Appointment of guardian.

In any case when no parent, guardian, or custodian appears in a hearing with the juvenile or when the court finds it would be in the best interests of the juvenile, the court may appoint a guardian of the person for the juvenile. The guardian shall operate under the supervision of the court with or without bond and shall file only such reports as the court shall require. Unless the court orders otherwise, the guardian:

- ...
- (3) May consent to certain actions on the part of the juvenile in place of the parent or custodian, including (i) marriage, (ii) enlisting in the ~~armed forces,~~ Armed Forces of the United States, and (iii) enrollment in school.

....

SECTION 6. G.S. 7B-3402 reads as rewritten:

"§ 7B-3402. Exceptions.

This Article shall not apply to any juvenile under the age of 18 who is married or who is serving in the ~~armed forces-~~ Armed Forces of the United States, or who has been emancipated."

SECTION 7. G.S. 10B-20(g) reads as rewritten:

"(g) Persons authorized by federal law or regulation to perform notarial acts may perform the acts for persons serving in or with the Armed Forces of the United States ~~armed forces, States,~~ their spouses, and their dependents."

SECTION 8. G.S. 14-34.3(b)(1) reads as rewritten:

"(b) This section does not apply to:

- (1) Officers and enlisted personnel of the ~~armed forces-~~ Armed Forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms or weapons, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia when called into actual service, officers of the State, or of any county, city or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties;"

SECTION 9. G.S. 14-269.7(b)(1) reads as rewritten:

"(b) This section does not apply:

- (1) To officers and enlisted personnel of the ~~armed forces-~~ Armed Forces of the United States when in discharge of their official duties or acting under orders requiring them to carry handguns."

SECTION 10. G.S. 14-288.1 reads as rewritten:

"§ 14-288.1. Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this Article:

- (1) "Chairman of the board of county commissioners": The chairman of the board of county commissioners or, in case of ~~his-~~ the chairman's absence or disability, the person authorized to act in ~~his-~~ the chairman's stead. Unless the governing body of the county has specified who is to act in lieu of the chairman with respect to a particular power or duty set out in this Article, the term "chairman of the board of county commissioners" shall apply to the person generally authorized to act in lieu of the chairman.

...

(5)

"Law-enforcement officer": Any officer of the State of North Carolina or any of its political subdivisions authorized to make arrests; any other person authorized under the laws of North Carolina to make arrests and either acting within ~~his-~~ that person's territorial jurisdiction or in an area in which ~~he-~~ that person has been lawfully called to duty by the Governor or any mayor or chairman of the board of county commissioners; any member of the ~~armed forces-~~ Armed Forces of the United States, the North Carolina National Guard, or the ~~State defense militia-~~ North Carolina State Defense Militia called to duty in a state of emergency in North Carolina and made responsible for enforcing the laws of North Carolina or preserving the public peace; or any officer of the United States authorized to make arrests without warrant and assigned to duties that include preserving the public peace in North Carolina.

- (6) "Mayor": The mayor or other chief executive official of a municipality or, in case of ~~his~~ that person's absence or disability, the person authorized to act in ~~his~~ that person's stead. Unless the governing body of the municipality has specified who is to act in lieu of the mayor with respect to a particular power or duty set out in this Article, the word "mayor" shall apply to the person generally authorized to act in lieu of the mayor.

....

SECTION 11. G.S. 14-288.20(a)(4) reads as rewritten:

- "(4) The term "law-enforcement officer" means any officer of the United States, any state, any political subdivision of a state, or the District of Columbia charged with the execution of the laws thereof; civil officers of the United States; officers and soldiers of the organized militia and state guard of any state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia; and members of the ~~armed forces~~ Armed Forces of the United States."

SECTION 12. G.S. 14-401.6(a)(1) reads as rewritten:

- "(1) By officers and enlisted personnel of the ~~armed forces~~ Armed Forces of the United States or this State while in the discharge of their official duties and acting under orders requiring them to carry arms or weapons;"

SECTION 13. G.S. 14-404(c)(6) reads as rewritten:

- "(6) One who has been discharged from the ~~armed forces~~ Armed Forces of the United States under dishonorable conditions."

SECTION 14. G.S. 14-415.4(e)(5) reads as rewritten:

- "(5) The petitioner is or has been dishonorably discharged from the ~~armed forces~~ Armed Forces of the United States."

SECTION 15. G.S. 14-415.10(2a) reads as rewritten:

- "(2a) Military permittee. – A person who holds a permit who is also a member of the ~~armed forces~~ Armed Forces of the United States, the ~~armed forces reserves~~ reserve components of the Armed Forces of the United States, the North Carolina Army National Guard, or the North Carolina Air National Guard."

SECTION 16. G.S. 14-415.12(b)(7) reads as rewritten:

- "(7) Is or has been discharged from the ~~armed forces~~ Armed Forces of the United States under conditions other than honorable."

SECTION 17. G.S. 15A-1340.11(7)c. reads as rewritten:

- "c. In the courts of the United States, another state, the ~~armed services~~ Armed Forces of the United States, or another country, regardless of whether the offense would be a crime if it occurred in North Carolina,"

SECTION 18. G.S. 15A-1340.16(e)(14) reads as rewritten:

- "(14) The defendant has been honorably discharged from the ~~United States armed services~~ Armed Forces of the United States."

SECTION 19. G.S. 18B-109(b) reads as rewritten:

- "(b) Armed Forces Installation. – No person shall have malt beverages or unfortified wine shipped directly from a point outside this State to an ~~armed forces~~ installation of the Armed Forces of the United States within this State if those alcoholic beverages are for resale on the installation."

SECTION 20. G.S. 18B-203(a)(17) reads as rewritten:

- "(17) Provide for the distribution of spirituous liquor to ~~armed forces~~ installations of the Armed Forces of the United States within this State for resale on the installation;"

SECTION 21. G.S. 20-7(f) reads as rewritten:

- "(f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and renewed pursuant to the provisions of this subsection:

...

- (3b) Renewal for certain members of the Armed Forces of the United States and reserve components of the Armed Forces of the United States.

- a. The Division may renew a drivers license, without limitation on the period of time before the license expires, if the person applying for

renewal is a member of the Armed Forces of the United States or of a reserve component of the Armed Forces of the United States and provides orders that place the member on active duty and duty station outside this State.

- b. A person who is a member of a reserve component of the Armed Forces of the United States whose license bears an expiration date that occurred while the person was on active duty outside this State shall be considered to have a valid license until 60 days after the date of release from active duty upon showing proof of the release date, unless the license was rescinded, revoked, or otherwise invalidated under some other provision of law. Notwithstanding the provisions of this sub-subdivision, no license shall be considered valid more than 18 months after the date of expiration.
- (4) Renewal by mail. – The Division may renew by mail a drivers license issued by the Division to a person who meets any of the following descriptions:
- a. Is a member of the Armed Forces of the United States or a reserve component of the Armed Forces of the United States serving on active duty and is stationed outside this State.
 - b. Is a resident of this State and has been residing outside the State for at least 30 continuous days.

When renewing a license by mail, the Division may waive the examination that would otherwise be required for the renewal and may impose any conditions it finds advisable. A license renewed by mail is a temporary license that expires 60 days after the person to whom it is issued returns to this State.

....
"....."
SECTION 22. G.S. 20-37.13 reads as rewritten:

"§ 20-37.13. Commercial drivers license qualification standards.

- (a) No person shall be issued a commercial drivers license unless ~~he~~ the person:
- (1) Is a resident of this State;
 - (2) Is 21 years of age;
 - (3) Has passed a knowledge test and a skills test for driving a commercial motor vehicle that comply with minimum federal standards established by federal regulation enumerated in 49 C.F.R., Part 383, Subparts F, G and H; and
 - (4) Has satisfied all other requirements of the Commercial Motor Vehicle Safety Act in addition to other requirements of this Chapter or federal regulation.

For the purpose of skills testing and determining commercial drivers license classification, only the manufacturer's GVWR shall be used.

The tests shall be prescribed and conducted by the Division. Provided, a person who is at least 18 years of age may be issued a commercial drivers license if ~~he~~ the person is exempt from, or not subject to, the age requirements of the federal Motor Carrier Safety Regulations contained in 49 C.F.R., Part 391, as adopted by the Division.

...
(c) Prior to October 1, 1992, the Division may waive the skills test for applicants licensed at the time they apply for a commercial drivers license if:

- (1) For an application submitted by April 1, 1992, the applicant has not, and certifies that he or she has not, at any time during the two years immediately preceding the date of application done any of the following and for an application submitted after April 1, 1992, the applicant has not, and certifies that he or she has not, at any time during the two years preceding April 1, 1992:
 - a. Had more than one drivers license, except during the 10-day period beginning on the date he or she is issued a drivers license, or unless, prior to December 31, 1989, he or she was required to have more than one license by a State law enacted prior to June 1, 1986;
 - b. Had any drivers license or driving privilege suspended, revoked, or cancelled;

- c. Had any convictions involving any kind of motor vehicle for the offenses listed in G.S. 20-17 or had any convictions for the offenses listed in G.S. 20-17.4;
 - d. Been convicted of a violation of State or local laws relating to motor vehicle traffic control, other than a parking violation, which violation arose in connection with any reportable traffic accident; or
 - e. Refused to take a chemical test when charged with an implied consent offense, as defined in G.S. 20-16.2; and
- (2) The applicant certifies, and provides satisfactory evidence, that he or she is regularly employed in a job requiring the operation of a commercial motor vehicle, and he or she either:
- a. Has previously taken and successfully completed a skills test that was administered by a state with a classified licensing and testing system and the test was behind the wheel in a vehicle representative of the class and, if applicable, the type of commercial motor vehicle for which the applicant seeks to be licensed; or
 - b. Has operated for the relevant two-year period under subpart (1)a. of this subsection, a vehicle representative of the class and, if applicable, the type of commercial motor vehicle for which the applicant seeks to be licensed.

(c1) The Division may waive the skills test for applicants at the time they apply for a commercial drivers license if the applicant meets all of the following:

- ...
- (3) The applicant certifies, and provides satisfactory evidence on the date of application, that the applicant is a member of an active or reserve component of ~~a branch of the United States Armed Forces~~ the Armed Forces of the United States and is regularly employed in a job requiring the operation of a commercial motor vehicle, and the applicant either:
- ...

(d) A commercial drivers license or learner's permit shall not be issued to a person while ~~he the person~~ is subject to a disqualification from driving a commercial motor vehicle, or while ~~his the person's~~ drivers license is suspended, revoked, or cancelled in any state; nor shall a commercial drivers license be issued unless the person who has applied for the license first surrenders all other drivers licenses issued by the Division or by another state. If a person surrenders a drivers license issued by another state, the Division must return the license to the issuing state for cancellation.

...."

SECTION 23. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

- ...
- (33) Cold War Veteran. – Issuable to a veteran of the ~~armed services~~ Armed Forces of the United States who served during the Cold War era, September 2, 1945, through December 26, 1991, and who was separated from the ~~armed services~~ Armed Forces of the United States under honorable conditions. The plate shall bear the words "Cold War Veteran" and an insignia representing the Cold War era. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

- ...
- (36) Combat Veteran. – Issuable to a veteran of the Armed Forces of the United States who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the Armed Forces of the United States under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A "period of war" is any of the following:

- ...
- (87) Military Veteran. – Issuable to an individual who served honorably in the ~~armed services~~ Armed Forces of the United States. The plate shall bear the words "U.S. Military Veteran" and the name and insignia of the branch of service in which the individual served. The Division may not issue the plate

authorized by this subdivision unless it receives at least 300 applications for the plate.

- (88) ~~Military Wartime Veteran.~~ – Issuable to either a member or veteran of the ~~armed services~~ Armed Forces of the United States who served during a period of war who received a campaign or expeditionary ribbon or medal for their service. If the person is a veteran of the ~~armed services~~, Armed Forces of the United States, then the veteran must be separated from the ~~armed services~~ Armed Forces of the United States under honorable conditions. The plate shall bear a word or phrase identifying the period of war and a replica of the campaign badge or medal awarded for that war. The Division may not issue the plate authorized by this subdivision unless it receives a total of 300 applications for all periods of war, combined, to be represented on this plate. A "period of war" is any of the following:

- ...
(113) Prisoner of War. – Issuable to the following:
- a. A member or veteran member of the Armed Forces of the United States who has been captured and held prisoner by forces hostile to the United States while serving in the ~~Armed Forces~~ Forces of the United States.
 - b. The surviving spouse of a person who had a prisoner of war plate at the time of death so long as the surviving spouse continues to renew the plate and does not remarry.

....

SECTION 24. G.S. 20-311(g) reads as rewritten:

"(g) Notwithstanding the penalty and restoration fee provisions of this section, any monetary penalty or restoration fee shall be waived for any person who, at the time of notification of a lapse in coverage, was deployed as a member of the ~~United States~~ Armed Forces of the United States outside of the continental United States for a total of 45 or more days. In addition, no insurance points under the Safe Driver Incentive Plan shall be assessed for any violation for which a monetary penalty or restoration fee is waived pursuant to this subsection. Any person qualifying under this subsection shall:

- (1) Have an affirmative defense to any criminal charge based upon the failure to return any registration card or registration plate to the Division;
- (2) Upon reregistration, receive without cost from the Division all necessary registration cards or plates; and
- (3) Upon notice of revocation, be permitted to transfer the vehicle's registration immediately to his or her spouse, child, or spouse's child, notwithstanding the provisions of subsection (e) of this section."

SECTION 25. G.S. 28B-1 reads as rewritten:

"§ 28B-1. Absentee in military service; definition.

Any person serving in or with the ~~armed forces~~ Armed Forces of the United States, in or with the Red Cross, in or with the ~~merchant marines~~, United States Merchant Marine, during any time when a state of hostilities exists between the United States and any other power, who has been reported or listed by the appropriate federal agency as missing in action or as a prisoner of war for a period of one year, shall be an "absentee in military service" within the meaning of this Chapter."

SECTION 26. G.S. 28C-20 reads as rewritten:

"§ 28C-20. Provisions applicable to person held incommunicado in foreign country.

As to a person who is known to be held incommunicado in a foreign country, G.S. 28C-1 through 28C-8 and G.S. 28C-10 may be applied as though ~~such the~~ person were an absentee within the meaning of this Chapter, and if ~~his the~~ person's whereabouts becomes unknown, the other provisions of this Chapter may be applied by such amendments to the pending proceeding as may be required. This section shall not apply to personnel serving in or with the ~~armed forces~~, Armed Forces of the United States, the ~~merchant marine~~, United States Merchant Marine, or the Red Cross during a period of hostilities between the United States and some other power who are listed by the appropriate federal agency as prisoners of war or as missing in action."

SECTION 27. G.S. 31-18.4 reads as rewritten:

"§ 31-18.4. Probate of wills of members of the ~~armed forces~~ Armed Forces of the United States.

In addition to the methods already provided in existing statutes therefor, a will executed by a person while in the ~~armed forces~~ Armed Forces of the United States or the ~~merchant marine, United States Merchant Marine~~ shall be admitted to probate (whether there were subscribing witnesses thereto or not, if they, or either of them, is out of the State at the time ~~said~~ the will is offered for probate) upon the oath of at least three credible witnesses that the signature to ~~said~~ the will is in the handwriting of the person whose will it purports to be. Such will so proven shall be effective to devise real property as well as to bequeath personal estate of all kinds. This section shall not apply to cases pending in courts and at issue on the date of its ratification."

SECTION 28. G.S. 35A-1228 reads as rewritten:

"§ 35A-1228. Guardians of children of servicemen; allotments and allowances.

In all cases where a person serving in the ~~armed forces~~ Armed Forces of the United States has made an allotment or allowance to a resident of this State who is his child or other minor dependent as provided by the Wartime Allowances to Service Men's Dependents Act or any other act of Congress, the clerk in the county of the minor's residence may act as temporary guardian, or appoint some suitable person to act as temporary guardian, of the person's minor dependent for purposes of receiving and disbursing allotments and allowance funds for the benefit of the minor dependent, when:

- (1) The other parent of the child or other minor dependent, or other person designated in the allowance or allotment to receive and disburse such moneys for the benefit of the minor dependent, dies or becomes mentally incompetent; and
- (2) The person serving in the ~~armed forces~~ Armed Forces of the United States is reported as missing in action or as a prisoner of war and is unable to designate another person to receive and disburse the allotment or allowance to the minor dependent."

SECTION 29.(a) G.S. 42-45(a) reads as rewritten:

"(a) Any member of the ~~United States Armed Forces~~ Armed Forces of the United States who (i) is required to move pursuant to permanent change of station orders to depart 50 miles or more from the location of the dwelling unit, or (ii) is prematurely or involuntarily discharged or released from active duty with the ~~United States Armed Forces~~ Armed Forces of the United States, may terminate ~~his~~ the member's rental agreement for a dwelling unit by providing the landlord with a written notice of termination to be effective on a date stated in the notice that is at least 30 days after the landlord's receipt of the notice. The notice to the landlord must be accompanied by either a copy of the official military orders or a written verification signed by the member's commanding officer."

SECTION 29.(b) G.S. 42-45(a1) reads as rewritten:

"(a1) Any member of the ~~United States Armed Forces~~ Armed Forces of the United States who is deployed with a military unit for a period of not less than 90 days may terminate ~~his~~ the member's rental agreement for a dwelling unit by providing the landlord with a written notice of termination. The notice to the landlord must be accompanied by either a copy of the official military orders or a written verification signed by the member's commanding officer. Termination of a lease pursuant to this subsection is effective 30 days after the first date on which the next rental payment is due or 45 days after the landlord's receipt of the notice, whichever is shorter, and payable after the date on which the notice of termination is delivered."

SECTION 30. G.S. 47-2 reads as rewritten:

"§ 47-2. Officials of the United States, foreign countries, and sister states.

The execution of all such instruments and writings as are permitted or required by law to be registered may be proved or acknowledged before any one of the following officials of the United States, of the District of Columbia, of the several states and territories of the United States, of countries under the dominion of the United States and of foreign countries: Any judge of a court of record, any clerk of a court of record, any notary public, any commissioner of deeds, any commissioner of oaths, any mayor or chief magistrate of an incorporated town or city, any ambassador, minister, consul, vice-consul, consul general, vice-consul general, associate consul, or any other person authorized by federal law to acknowledge documents as consular officers, or commercial agent of the United States, any justice of the peace of any state

or territory of the United States, any officer of the ~~army or air force of the United States~~ Army or Air Force or United States ~~marine corps~~ Marine Corps having the rank of warrant officer or higher, any officer of the United States ~~navy~~ Navy or ~~east guard~~ Coast Guard having the rank of warrant officer, or higher, or any officer of the United States ~~merchant marine~~ Merchant Marine having the rank of warrant officer, or higher. No official seal shall be required of ~~said military, naval or merchant marine official, officer,~~ but ~~he~~ the officer shall sign ~~his~~ the officer's name, designate ~~his~~ the officer's rank, and give the name of ~~his~~ the officer's ship or military organization and the date, and for the purpose of certifying ~~said~~ the acknowledgment, ~~he~~ the officer shall use a form in substance as follows:

On this the ____ day of ____, ____, before me ____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be accompanying or serving in or with the ~~armed forces~~ Armed Forces of the United States (or to be the spouse of a person accompanying or serving in or with the ~~armed forces~~ Armed Forces of the United States) and to be the person whose name is subscribed to the within instruments and acknowledged that ____ ~~he~~ the person ____ executed the same for the purposes therein contained. And the undersigned does further certify that ~~he~~ the undersigned is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the ~~armed forces~~ Armed Forces of the United States.

Signature of Officer

Rank of Officer and command to which attached.

If the proof or acknowledgment of the execution of an instrument is had before a justice of the peace of any state of the United States other than this State or of any territory of the United States, the certificate of ~~such~~ the justice of the peace shall be accompanied by a certificate of the clerk of some court of record of the county in which ~~such~~ the justice of the peace resides, which certificate of the clerk shall be under ~~his~~ the clerk's hand and official seal, to the effect that ~~such~~ the justice of the peace was at the time the certificate of ~~such~~ the justice bears date an acting justice of the peace of ~~such~~ the county and state or territory and that the genuine signature of ~~such~~ the justice of the peace is set to ~~such~~ the certificate."

SECTION 31. G.S. 47-2.1 reads as rewritten:

"§ 47-2.1. Validation of instruments proved before officers of certain ranks.

Any instrument or writing, required by law to be proved or acknowledged before an officer, which prior to the ratification of this section was proved or acknowledged before an officer of the United States ~~army or United States marine corps~~ Army or Marine Corps having the rank of second lieutenant or higher, or any officer of the United States ~~navy~~ Navy, or United States ~~east guard~~ Coast Guard, or United States ~~merchant marine~~ Merchant Marine, having the rank of ensign or higher, is hereby validated and declared sufficient for all purposes."

SECTION 32. G.S. 47-81.2 reads as rewritten:

"§ 47-81.2. Before ~~army~~, United States Army, etc., officers.

In all cases where instruments and writings have been proved or acknowledged before any officer of the ~~army of the United States or United States marine corps~~ Army or Marine Corps having the rank of captain or higher, before any officer of the United States ~~navy or east guard~~ Navy or Coast Guard having the rank of lieutenant, senior grade, or higher, or any officer of the United States ~~merchant marine~~ Merchant Marine having the rank of lieutenant, senior grade, or higher, such proofs or acknowledgments, where valid in other respects, are hereby ratified, confirmed and declared valid."

SECTION 33. The title of Article 5 of Chapter 47 of the General Statutes reads as rewritten:

"Article 5.

Registration of Official Discharges from the ~~Military and Naval~~ Armed Forces of the United States."

SECTION 34. G.S. 47-109 reads as rewritten:

"§ 47-109. Book for record of discharges in office of register of deeds; specifications.

There shall be provided, and at all times maintained, in the office of the register of deeds of each county in North Carolina a special and permanent book, in which shall be recorded

official discharges from the ~~army, navy, marine corps~~ United States Army, Navy, Marine Corps and other branches of the ~~armed forces~~ Armed Forces of the United States. ~~Said~~ The book shall be securely bound, and the pages of the ~~same~~ book shall be printed in the form of discharge papers, with sufficient blank lines for the recording of such dates as may be contained in the discharge papers offered for registration."

SECTION 35. G.S. 47-110 reads as rewritten:

"§ 47-110. Registration of official discharge or certificate of lost discharge.

Upon the presentation to the register of deeds of any county of any official discharge, or official certificate of lost discharge, from the ~~army, navy, marine corps~~ United States Army, Navy, Marine Corps, or any other branch of the ~~armed forces~~ Armed Forces of the United States ~~he the register of deeds~~ shall record the same without charge in the book provided for in G.S. 47-109."

SECTION 36. G.S. 47-111 reads as rewritten:

"§ 47-111. Inquiry by register of deeds; oath of applicant.

If any register of deeds shall be in doubt as to whether or not any paper so presented for registration is an official discharge from the ~~army, navy, or marine corps of the United States, United States Army, Navy, Marine Corps, or any other branch of the Armed Forces of the United States~~ or an official certificate of lost discharge, ~~he the register of deeds~~ shall have power to examine, under oath, the person so presenting such discharge, or otherwise inquire into its validity; and every register of deeds to whom a discharge or certificate of lost discharge is presented for registration shall administer to the person offering such discharge or certificate of lost discharge for registration the following oath, to be recorded with and form a part of the registration of such discharge or certificate of lost discharge:

I, _____, being duly sworn, depose and say that the foregoing discharge (or certificate of lost discharge) is the original discharge (or certificate of lost discharge) issued to me by the government of the United States; and that no alterations have been made therein by me, or by any person to my knowledge.

Subscribed and sworn to before me this ____ day of _____, ____ _____

SECTION 37. G.S. 47-113 reads as rewritten:

"§ 47-113. Certified copy of registration.

Any person desiring a certified copy of any such discharge, or certificate of lost discharge, registered under the provisions of this Article shall apply for the same to the register of deeds of the county in which such discharge or certificate of lost discharge is registered. The register of deeds shall furnish certified copies of instruments registered under this Article without charge to any member or former member of the ~~armed forces~~ Armed Forces of the United States who applies therefor."

SECTION 38. G.S. 47-113.2(b)(3) reads as rewritten:

"(3) Military discharge document. – Any document that purports to represent a notice of separation from or service in ~~any armed forces~~ the Armed Forces of the United States or armed forces of any state, including, but not limited to, Department of Defense Form 214 or 215, WD AGO 53, WD AGO 55, WD AGO 53-55, NAVMC 78-PD, and NAVPERS 553, ~~or any other letter relating to the separation from the armed forces.553.~~"

SECTION 39. G.S. 50-18 reads as rewritten:

"§ 50-18. Residence of military personnel; payment of defendant's travel expenses by plaintiff.

In any action instituted and prosecuted under this Chapter, allegation and proof that the plaintiff or the defendant has resided or been stationed at a United States ~~army, navy, marine corps, coast guard or air force~~ Army, Navy, Marine Corps, Coast Guard, or Air Force installation or reservation or any other location pursuant to military duty within this State for a period of six months next preceding the institution of the action shall constitute compliance with the residence requirements set forth in this Chapter; provided that personal service is had upon the defendant or service is accepted by the defendant, within or without the State as by law provided.

Upon request of the defendant or attorney for the defendant, the court may order the plaintiff to pay necessary travel expenses from defendant's home to the site of the court in order that the defendant may appear in person to defend said action."

SECTION 40. G.S. 50B-3.1(k) reads as rewritten:

"(k) Official Use Exemption. – This section shall not prohibit law enforcement officers and members of any branch of the ~~United States armed forces~~, Armed Forces of the United States, not otherwise prohibited under federal law, from possessing or using firearms for official use only."

SECTION 41. G.S. 53-141 reads as rewritten:

"§ 53-141. Powers.

Industrial banks shall have perpetual duration and succession in their corporate name unless a limited period of duration is stated in their certificate of incorporation. They shall have the powers conferred by subdivisions (1), (2), and (3) of subsection (a) of G.S. 55-3-02, and subdivision (3) of G.S. 53-43, such additional powers as may be necessary or incidental for the carrying out of their corporate purposes, and in addition thereto the following powers:

- ...
- (7) To transact any lawful business in aid of the United States in time of war or engagement of the ~~nation's armed forces~~ Armed Forces of the United States in hostile military operations."

SECTION 42. G.S. 58-33-66(a) reads as rewritten:

"(a) The Commissioner may issue a temporary insurance producer license for a period not to exceed 180 days or longer, for good cause, without requiring an examination if the Commissioner deems that the temporary license is necessary for the servicing of an insurance business in any of the following cases:

- ...
- (3) To the designee of a licensed insurance producer entering active service in the ~~armed forces of the United States of America~~ Armed Forces of the United States.
- (4) In any other circumstance where the Commissioner deems that the public interest will be served best by the issuance of this license."

SECTION 43. G.S. 58-37-1(4a) reads as rewritten:

"(4a) "Eligible risk," for the purpose of nonfleet private passenger motor vehicle insurance, means:

- ...
- e. A nonresident of the State who is one of the following:
1. A member of the ~~armed forces~~ Armed Forces of the United States stationed in this State, or deployed outside this State from a home base in this State, who intends to return to his or her home state;
 2. The spouse of a nonresident member of the ~~armed forces~~ Armed Forces of the United States stationed in this State, or deployed outside this State from a home base in this State, who intends to return to his or her home state;
 3. An out-of-state student who intends to return to his or her home state upon completion of his or her time as a student enrolled in school in this State; or

....

SECTION 44. G.S. 58-58-325 reads as rewritten:

"§ 58-58-325. Scope.

This Part applies only to the solicitation or sale of any life insurance or annuity product by an insurer or insurance producer to an active duty service member of the ~~United States armed forces~~ Armed Forces."

SECTION 45. G.S. 58-58-330(b) reads as rewritten:

"(b) Nothing in this Part shall be construed to abrogate the ability of nonprofit organizations (and/or other organizations) to educate members of the ~~United States armed forces~~ Armed Forces in accordance with Department of Defense ~~DoD~~ "DoD Instruction 1344.07 – Personal Commercial Solicitation on DoD ~~Installations~~ Installations" or successor directive."

SECTION 46. G.S. 58-58-335 reads as rewritten:

"§ 58-58-335. Definitions.

As used in this Part:

(1) "Active duty" means full-time duty in the active military service of the United States and includes service by members of the reserve component (National Guard and Reserve) while serving under published orders for active duty or full-time training. "Active duty" does not include service by members of the reserve component who are performing active duty or active duty for training under military calls or orders specifying periods of less than 31 calendar days.

(1a) 'Armed Forces' means all components of the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

...
(11) "Service member" means any active duty commissioned officer, any active duty warrant officer, or any active duty enlisted member of the ~~armed forces~~Armed Forces.

...
(15) ~~"United States armed forces" or "armed forces" means all components of the Army, Navy, Air Force, Marine Corps, and Coast Guard.~~

.... "

SECTION 47. G.S. 58-58-340 reads as rewritten:

"§ 58-58-340. **Practices declared false, misleading, deceptive, or unfair on a military installation.**

(a) The following acts or practices when committed on a military installation by an insurer or insurance producer with respect to the in-person, face-to-face solicitation of life insurance are declared to be false, misleading, deceptive, or unfair:

...
(8) Knowingly accepting an application for life insurance or issuing a policy of life insurance on the life of an enlisted member of the ~~armed forces~~Armed Forces without first obtaining for the insurer's files a completed copy of any required form that confirms that the applicant has received counseling or fulfilled any other similar requirement for the sale of life insurance established by regulations, directives, or rules of the Department of Defense or any branch of the ~~armed forces~~Armed Forces.

(b) The following acts or practices when committed on a military installation by an insurer or insurance producer constitute corrupt practices, improper influences or inducements and are declared to be false, misleading, deceptive, or unfair:

(1) Using Department of Defense personnel, directly or indirectly, as a representative or agent in any official or business capacity with or without compensation with respect to the solicitation or sale of life insurance to service members.

(2) Using an insurance producer to participate in any ~~armed forces~~Armed Forces sponsored education or orientation program."

SECTION 48.(a) G.S. 58-58-345(a) reads as rewritten:

"(a) The following acts or practices by an insurer or insurance producer constitute corrupt practices, improper influences or inducements and are declared to be false, misleading, deceptive, or unfair:

(1) Submitting, processing, or assisting in the submission or processing of any allotment form or similar device used by the ~~United States armed forces~~Armed Forces to direct a service member's pay to a third party for the purchase of life insurance. The foregoing includes, but is not limited to, using or assisting in using a service member's MyPay account or other similar Internet or electronic medium for such purposes. This subdivision does not prohibit assisting a service member by providing insurer or premium information necessary to complete any allotment form.

.... "

SECTION 48.(b) G.S. 58-58-345(b) reads as rewritten:

"(b) The following acts or practices by an insurer or insurance producer lead to confusion regarding source, sponsorship, approval, or affiliation and are declared to be false, misleading, deceptive, or unfair:

(1) Making any representation, or using any device, title, descriptive name, or identifier that has the tendency or capacity to confuse or mislead a service

member into believing that the insurer, insurance producer, or product offered is affiliated, connected or associated with, endorsed, sponsored, sanctioned, or recommended by the U.S. Government, the ~~United States armed forces~~, Armed Forces, or any state or federal agency or government entity. Examples of prohibited insurance producer titles include, but are not limited to, "Battalion Insurance Counselor," "Unit Insurance Advisor," "Servicemen's Group Life Insurance Conversion Consultant," or "Veteran's Benefits Counselor." Nothing in this subdivision prohibits a person from using a professional designation awarded after the successful completion of a course of instruction in the business of insurance by an accredited institution of higher learning. Those designations include, but are not limited to, Chartered Life Underwriter (CLU), Chartered Financial Consultant, (ChFC), Certified Financial Planner (CFP), Master of Science in Financial Services (MSFS), or Masters of Science Financial Planning (MS).

- (2) Soliciting the purchase of any life insurance product through the use of or in conjunction with any third party organization that promotes the welfare of or assists members of the ~~United States armed forces~~ Armed Forces in a manner that has the tendency or capacity to confuse or mislead a service member into believing that either the insurer, insurance producer, or insurance product is affiliated, connected or associated with, endorsed, sponsored, sanctioned, or recommended by the U.S. Government or the ~~United States armed forces~~ Armed Forces."

SECTION 48.(c) G.S. 58-58-345(d) reads as rewritten:

"(d) The following acts or practices by an insurer or insurance producer regarding SGLI or VGLI are declared to be false, misleading, deceptive, or unfair:

- ...
- (3) Suggesting, recommending, or encouraging a service member to cancel or terminate his or her SGLI policy or issuing a life insurance policy that replaces an existing SGLI policy unless the replacement shall take effect upon or after the service member's separation from the ~~armed forces~~ Armed Forces."

SECTION 49. G.S. 65-43 reads as rewritten:

"§ 65-43. Definitions.

For purposes of this Article, the following definitions shall apply, unless the context requires otherwise:

- (1) "Honorable military service" means:
 - a. Service on active duty, other than for training, as a member of the Armed Forces of the United States, when the service was terminated under honorable conditions;
 - b. Service on active duty as a member of the Armed Forces of the United States at the time of death under honorable conditions;
 - c. Service on active duty for training or full-time service as a member of ~~the Reserve~~ a reserve component of the Armed Forces of the United States, the Army National Guard, the Air National Guard, or the Reserve Officer Training Corps of the Army, Navy, or Air Force, at the time of death under honorable conditions.
- (2) A "legal resident" of a state means a person whose principal residence or abode is in that state, who uses that state to establish his or her right to vote and other rights in a state, and who intends to live in that state, to the exclusion of maintaining a legal residence in any other state.
- (3) A "qualified veteran" means a veteran who meets the requirements of sub-subdivisions a. and b. of this subdivision:
 - a. A veteran who served an honorable military service or who served a period of honorable nonregular service and is any of the following:
 1. A veteran who is entitled to retired pay for nonregular service under 10 U.S.C. §§ 12731-12741, as amended.
 2. A veteran who would have been entitled to retired pay for nonregular service under 10 U.S.C. §§ 12731-12741, as

- amended, but for the fact that the person was under 60 years of age.
3. A veteran who is eligible for interment in a national cemetery under 38 U.S.C. § 2402, as amended.
- b. Who is a legal resident of North Carolina:
1. At the time of death, or
 2. For a period of at least 10 years, or
 3. At the time he or she entered the Armed Forces of the United States."

SECTION 50. G.S. 66-58(c)(3b) reads as rewritten:

"(3b) The operation of a military business center by a community college. For the purposes of this subdivision, the term "military business center" means a facility that serves to coordinate and facilitate interactions between the ~~United States Armed Forces;~~ Armed Forces of the United States; military personnel, veterans, and their families; and private businesses."

SECTION 51. G.S. 86A-14(2) reads as rewritten:

"(2) Commissioned medical or surgical officers of the ~~U.S. United States~~ Army or other components of the ~~U.S. armed forces;~~ Armed Forces of the United States, and those working under their supervision;".

SECTION 52. G.S. 86A-17(c) reads as rewritten:

"(c) All persons serving in the Armed Forces of the United States ~~armed forces~~ and persons whose certificates of registration as a registered barber were in force one year prior to entering service may, without taking the required examination, renew their certificates within 90 days after receiving an honorable discharge, by paying the current annual license fee and furnishing the State Board of Barber Examiners with a satisfactory health certificate if required by the Board."

SECTION 53. G.S. 89C-25(6) reads as rewritten:

"(6) Practice by members of the ~~armed forces;~~ Armed Forces of the United States; employees of the government of the United States while engaged in the practice of engineering or land surveying solely for the government on government-owned works and projects; or practice by those employees of the Natural Resources Conservation Service, county employees, or employees of the Soil and Water Conservation Districts who have federal engineering job approval authority that involves the planning, designing, or implementation of best management practices on agricultural lands."

SECTION 54. G.S. 90-12.1A(a)(3) reads as rewritten:

"(3) Is authorized to treat ~~personnel enlisted military personnel~~ personnel serving in a branch of the United States armed services ~~Armed Forces of the United States~~ or veterans."

SECTION 55. G.S. 90-12.4(3) reads as rewritten:

"(3) Is a member of the ~~United States armed services~~ Armed Forces of the United States or is employed by the Veterans' Administration or another federal agency."

SECTION 56. G.S. 90-18.1(h) reads as rewritten:

"(h) A physician assistant serving active duty in the ~~United States military~~ Armed Forces of the United States is exempt from the requirements of subdivision (g)(3) of this section."

SECTION 57. G.S. 90-29(c)(2) reads as rewritten:

"(2) The practice of dentistry, in the discharge of their official duties, by dentists in any branch of the ~~military service~~ Armed Forces of the United States or in the full-time employ of any agency of the United States;".

SECTION 58. G.S. 90-36(c)(2) reads as rewritten:

"(2) Has not been the subject of final or pending disciplinary action in the ~~military;~~ Armed Forces of the United States, in any state or territory in which the applicant is or has ever been licensed to practice dentistry, or in any state or territory in which the applicant has held any other professional license."

SECTION 59. G.S. 90-37.1(a)(1) reads as rewritten:

"(1) Has an out-of-state current or expired license, or an expired license in this State, or is authorized to treat veterans of or personnel ~~enlisted~~ serving in the United States armed services, Armed Forces of the United States; and".

SECTION 60. G.S. 90-87(23)(a) reads as rewritten:

"a. A written order or other order which is promptly reduced to writing for a controlled substance as defined in this Article, or for a preparation, combination, or mixture thereof, issued by a practitioner who is licensed in this State to administer or prescribe drugs in the course of his professional practice; or issued by a practitioner serving on active duty with the ~~armed forces~~ Armed Forces of the United States or the United States Veterans Administration who is licensed in this or another state or Puerto Rico, provided the order is written for the benefit of eligible beneficiaries of armed services medical care; a prescription does not include an order entered in a chart or other medical record of a patient by a practitioner for the administration of a drug; or".

SECTION 61. G.S. 90-115.1(1) reads as rewritten:

"(1) The practice of optometry, in the discharge of their official duties, by optometrists in any branch of the ~~military service of the United States~~ Armed Forces of the United States or in the full employ of any agency of the United States."

SECTION 62. G.S. 90-187.10 reads as rewritten:

"§ 90-187.10. Necessity for license; certain practices exempted.

No person shall engage in the practice of veterinary medicine or own all or part interest in a veterinary medical practice in this State or attempt to do so without having first applied for and obtained a license for such purpose from the North Carolina Veterinary Medical Board, or without having first obtained from ~~said the~~ Board a certificate of renewal of license for the calendar year in which ~~such the~~ person proposes to practice and until ~~he the person~~ shall have been first licensed and registered for such practice in the manner provided in this Article and the rules and regulations of the ~~said~~ Board.

Nothing in this Article shall be construed to prohibit:

- (1) Any person ~~or his employee~~ from administering to animals, the title to which is vested in ~~himself,~~ the person or the person's employer, except when ~~said the~~ title is so vested for the purpose of circumventing the provisions of this Article;
- (2) Any person who is a regular student or instructor in a legally chartered college from the performance of those duties and actions assigned as ~~his the~~ person's responsibility in teaching or research;
- (3) Any veterinarian not licensed by the Board who is a member of the ~~armed forces~~ Armed Forces of the United States or who is an employee of the United States Department of Agriculture, the United States Public Health Service or other federal agency, or the State of North Carolina, or political subdivision thereof, from performing official duties while so commissioned or employed;
- ...
- (7) Any physician licensed to practice medicine in this State, or ~~his the~~ physician's assistant, while engaged in medical research;
- ...
- (9) Any veterinarian licensed to practice in another state from examining livestock or acting as a consultant in North Carolina, provided ~~he the~~ consulting veterinarian is directly supervised by a veterinarian licensed by the Board who must, at or prior to the first instance of consulting, notify the Board, in writing, that he or she is supervising the consulting veterinarian, give the Board the name, address, and licensure status of the consulting veterinarian, and also verify to the Board that the supervising veterinarian assumes responsibility for the professional acts of the consulting veterinarian; and provided further, that the consultation by the veterinarian in North Carolina does not exceed 10 days or parts thereof per year, and

- further that all infectious or contagious diseases diagnosed are reported to the State Veterinarian within 48 hours; or
- (10) Any person employed by the North Carolina Department of Agriculture and Consumer Services as a livestock inspector or by the U.S. Department of Agriculture as an animal health technician from performing regular duties assigned to him or her during the course and scope of that person's employment."

SECTION 63. G.S. 90-210.25(a) reads as rewritten:

"(a) Qualifications, Examinations, Resident Traineeship and Licensure. –

...

(4)

d. A certificate of resident traineeship shall be signed by the resident trainee and upon payment of the renewal fee shall be renewable one year after the date of original registration; but the certificate may not be renewed more than two times. The Board shall mail to each registered trainee at his last known address a notice that the renewal fee is due and that, if not paid within 30 days of the notice, the certificate will be canceled. A late fee, in addition to the renewal fee, shall be charged for a late renewal, but the renewal of the registration of any resident trainee who is engaged in the active service in the military service— Armed Forces of the United States at the time renewal is due may, at the discretion of the Board, be held in abeyance for the duration of that service without penalties. No credit shall be allowed for the 12-month period of resident traineeship that shall have been completed more than five years preceding the examination for a license.

...

(5) The Board by regulation may recognize other examinations that the Board deems equivalent to its own.

...

b.

The holder of any license issued by the Board who shall fail to renew the same on or before February 1 of the calendar year for which the license is to be renewed shall have forfeited and surrendered the license as of that date. No license forfeited or surrendered pursuant to the preceding sentence shall be reinstated by the Board unless it is shown to the Board that the applicant has, throughout the period of forfeiture, engaged full time in another state of the United States or the District of Columbia in the practice to which ~~his— the applicant's~~ North Carolina license applies and has completed for each such year continuing education substantially equivalent in the opinion of the Board to that required of North Carolina licensees; or has completed in North Carolina a total number of hours of accredited continuing education computed by multiplying five times the number of years of forfeiture; or has passed the North Carolina examination for the forfeited license. No additional resident traineeship shall be required. The applicant shall be required to pay all delinquent annual renewal fees and a reinstatement fee. The Board may waive the provisions of this section for an applicant for a forfeiture which occurred during ~~his— the applicant's~~ service in the ~~armed forces—~~ Armed Forces of the United States provided ~~he— the applicant~~ applies within six months following severance therefrom.

...."

SECTION 64. G.S. 90-210.101 reads as rewritten:

"§ 90-210.101. **Member ~~in armed forces—~~ of Armed Forces failing to pay assessments; reinstatement.**

If a member of a burial association who is in the ~~military or naval forces—~~ Armed Forces of the United States fails to pay any assessment, ~~he— the member~~ shall be in bad standing, and unless and until restored, shall not be entitled to benefits. However, the ~~said—~~ member shall be reinstated in the burial association upon application made by ~~him— the member~~ at any time until

12 months after ~~his~~ the member's discharge from the ~~military or naval forces~~ Armed Forces of the United States, notwithstanding ~~his~~ the member's physical condition and without the payment of assessments which have become due during ~~his~~ the member's service in the ~~military or naval forces~~ Armed Forces of the United States. Benefits will be in force immediately after such reinstatement."

SECTION 65. G.S. 90-224.1(c)(2) reads as rewritten:

"(2) Has no history of disciplinary action or pending disciplinary action in the ~~military~~ Armed Forces of the United States or in any state or territory in which the applicant is or has ever been licensed."

SECTION 66. G.S. 90-270.34(a)(3) reads as rewritten:

"(3) Practitioners of physical therapy employed in the ~~United States armed services~~, Armed Forces of the United States, United States Public Health Service, Veterans Administration or other federal agency, to the extent permitted under federal law, so long as the practitioner limits services to those directly relating to work with the employing government agency;"

SECTION 67. G.S. 90-664(3) reads as rewritten:

"(3) A respiratory care practitioner serving in the ~~armed forces~~ Armed Forces or the Public Health Service of the United States or employed by the Veterans Administration when performing duties associated with that service or employment."

SECTION 68. G.S. 93B-15 reads as rewritten:

"§ 93B-15. **Payment of license fees by members of the ~~armed forces~~; Armed Forces; board waiver rules.**

(a) An individual who is serving in the ~~armed forces~~ Armed Forces of the United States and to whom G.S. 105-249.2 grants an extension of time to file a tax return is granted an extension of time to pay any license fee charged by an occupational licensing board as a condition of retaining a license granted by the board. The extension is for the same period that would apply if the license fee were a tax.

(b) Occupational licensing boards shall adopt rules to postpone or waive continuing education, payment of renewal and other fees, and any other requirements or conditions relating to the maintenance of licensure by an individual who is currently licensed by and in good standing with the board, is serving in the ~~armed forces~~ Armed Forces of the United States, and to whom G.S. 105-249.2 grants an extension of time to file a tax return."

SECTION 69.(a) G.S. 96-8(6)i. reads as rewritten:

"i. The term "employment" includes service performed for any State and local governmental employing unit or for any Indian tribe, except that employment does not include service performed (a) as an elected official; (b) as a member of a legislative body or a member of the judiciary, of a State or political subdivision thereof or of an Indian tribe; (c) as a member of the ~~State~~ North Carolina ~~National Guard or Air National Guard~~; (d) as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency; or (e) in a policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week. The services to which clause (d) of the preceding sentence applies include but are not limited to temporary emergency services compensated solely by a fixed payment for each emergency call answered whether or not provided for by prior agreement and training in preparation for such temporary emergency service whether or not compensated."

SECTION 69.(b) G.S. 96-8(8b) reads as rewritten:

"(8b) "Severely disabled veteran" means an honorably discharged veteran of the ~~armed forces~~ Armed Forces of the United States who has received a disability rating from the United States Department of Veterans Affairs that meets the disability percentage requirements set forth in 38 CFR 4.16, as amended, if the veteran (i) has a right to apply to the United States Department of Veterans Affairs for compensation based on total disability or individual unemployability, and (ii) has elected to work instead of assert the

right to receive compensation from the United States Department of Veterans Affairs based on total disability or individual unemployability."

SECTION 69.(c) Effective July 1, 2011, G.S. 96-8(10) reads as rewritten:

"(10) Total and partial unemployment.

- a. For the purpose of establishing a benefit year, an individual shall be deemed to be unemployed:
 1. If ~~he~~the individual has payroll attachment but, because of lack of work during the payroll week for which ~~he~~the individual is requesting the establishment of a benefit year, ~~he~~the individual worked less than the equivalent of three customary scheduled full-time days in the establishment, plant, or industry in which ~~he~~the individual has payroll attachment as a regular employee. If a benefit year is established, it shall begin on the Sunday preceding the payroll week ending date.
 2. If ~~he~~the individual has no payroll attachment on the date ~~he~~the individual reports to apply for unemployment insurance. If a benefit year is established, it shall begin on the Sunday of the calendar week with respect to which the claimant met the reporting requirements provided by Commission regulation.
- b. For benefit weeks within an established benefit year, a claimant shall be deemed to be:
 1. Totally unemployed, irrespective of job attachment, if ~~his~~the claimant's earnings for such week, including payments defined in ~~subparagraph e below~~, sub-subdivision c. of this subdivision, would not reduce ~~his~~the claimant's weekly benefit amount as prescribed by G.S. 96-12(c).
 2. Partially unemployed, if ~~he~~the claimant has payroll attachment but because of lack of work during the payroll week for which ~~he~~the claimant is requesting benefits ~~he~~the claimant worked less than three customary scheduled full-time days in the establishment, plant, or industry in which ~~he~~the claimant is employed and whose earnings from such employment (including payments defined in ~~subparagraph e below~~) sub-subdivision c. of this subdivision) would qualify ~~him~~the claimant for a reduced payment as prescribed by G.S. 96-12(c).
 3. Part-totally unemployed, if the claimant had no job attachment during all or part of such week and whose earnings for odd jobs or subsidiary work (including payments defined in ~~subparagraph e below~~) sub-subdivision c. of this subdivision) would qualify ~~him~~the claimant for a reduced payment as prescribed by G.S. 96-12(c).
- c. No individual shall be considered unemployed if, with respect to the entire calendar week, ~~he~~the individual is receiving, has received, or will receive as a result of ~~his~~the individual's separation from employment, remuneration in the form of (i) wages in lieu of notice, (ii) accrued vacation pay, (iii) terminal leave pay, (iv) severance pay, (v) separation pay, or (vi) dismissal payments or wages by whatever name. Provided, however, if such payment is applicable to less than the entire week, the claimant may be considered to be unemployed as defined in ~~subsections a and b of this paragraph~~, sub-subdivisions a. and b. of this subdivision. Sums received by any individual for services performed as an elected official who holds an elective office, as defined in G.S. 128-1.1(d), or as a member of the ~~N. C.~~ North Carolina National Guard, as defined in G.S. 127A-3, or as a member of any reserve component of the ~~United States~~ Armed Forces of the United States shall not be considered in determining

that individual's employment status under this subsection. Provided further, however, that an individual shall be considered to be unemployed as to receipt of severance pay for any week the individual is registered at or attending any institution of higher education as defined in G.S. 96-8(5)j., or secondary school as defined in G.S. 96-8(5)q., or Commission approved vocational, educational, or training programs as defined in G.S. 96-13.

- d. An individual's week of unemployment shall be deemed to commence only after ~~his~~ the individual's registration at an employment office, except as the Commission may by regulation otherwise prescribe.
- e. Repealed by Session Laws 2009-506, s. 2, effective October 1, 2009, and applicable to claims filed on or after that date.
- f. No substitute teacher or other substitute school personnel shall be considered unemployed for days or weeks when not called to work unless the individual is or was employed as a full-time substitute during the period of time for which the individual is requesting benefits. For the purposes of this subsection, full-time substitute is defined as a substitute employee who works more than 30 hours a week on a continual basis for a period of six months or more."

SECTION 70. G.S. 96-9(c)(6) reads as rewritten:

- "(6) If the Commission finds that an employer's business is closed solely because of the entrance of one or more of the owners, officers, partners, or the majority stockholder into the Armed Forces of the United States, or of any of its allies, or of the United Nations, such employer's experience rating account shall not be terminated; and, if the business is resumed within two years after the discharge or release from active duty in the Armed Forces of the United States of such person or persons, the employer's account shall be deemed to have been chargeable with benefits throughout more than 13 consecutive calendar months ending July 31 immediately preceding the computation date. This subdivision shall apply only to employers who are liable for contributions under the experience rating system of financing unemployment benefits. This subdivision shall not be construed to apply to employers who are liable for payments in lieu of contributions or to employers using the reimbursable method of financing benefit payments."

SECTION 71. G.S. 105-113.81(c) reads as rewritten:

"(c) Sales to ~~Armed Forces~~ Forces of the United States. – Wholesalers and importers of malt beverages and wine are not required to remit excise taxes on malt beverages and wine sold to the ~~United States Armed Forces~~ Armed Forces of the United States. The Secretary may require malt beverages and wine sold to the ~~Armed Forces~~ Armed Forces of the United States to be marked "For Military Use Only" to facilitate identification of those beverages."

SECTION 72. G.S. 105-158 reads as rewritten:

"§ 105-158. **Taxation of certain ~~armed forces~~ Armed Forces personnel and other individuals upon death.**

An individual is not subject to the tax imposed by this Part for a taxable year if, under section 692 of the Code, the individual is not subject to federal income tax for that same taxable year."

SECTION 73. G.S. 105-244.1 reads as rewritten:

"§ 105-244.1. **Cancellation of certain assessments.**

The Secretary of Revenue is hereby authorized, empowered and directed to cancel and abate all assessments made after October 16, 1940, for or on account of any tax owing to the State of North Carolina and which is payable to the Department of Revenue against any person who was killed while a member of the ~~armed forces~~ Armed Forces of the United States or who has a service connected disability as a result of which the United States is paying him disability compensation. This provision shall apply only to assessments made after October 16, 1940, for taxes which were due prior to the time the taxpayer was inducted into the ~~armed forces~~ Armed Forces of the United States. If any such assessment is or has been paid, the Secretary of Revenue may refund the amount paid but shall not add thereto any interest."

SECTION 74. G.S. 108A-55.3(b)(13) reads as rewritten:

"(13) A document from the U.S. Department of Veterans Affairs, ~~U.S. Military~~, U.S. Department of Defense, or the U.S. Department of Homeland Security verifying the applicant's intent to live in North Carolina permanently or for an indefinite period of time or that the applicant is residing in North Carolina to seek employment or with a job commitment."

SECTION 75. G.S. 110-129(2) reads as rewritten:

"(2) "Dependent child" means any person under the age of 18 who is not otherwise emancipated, married or a member of the ~~armed forces~~ Armed Forces of the United States, or any person over the age of 18 for whom a court orders that support payments continue as provided in G.S. 50-13.4(c)."

SECTION 76. G.S. 113-130(4)e. reads as rewritten:

"e. Military Personnel and Their Dependents. – A member of the ~~armed forces~~ Armed Forces of the United States stationed at a military facility in North Carolina, ~~his~~ the member's spouse, and any dependent under 18 years of age residing with him ~~the member~~ are deemed residents of the State, of the county in which they live, and also, if different, of any county in which the military facility is located."

SECTION 77. G.S. 115C-254 reads as rewritten:

"§ 115C-254. Use of school buses by State defense militia or ~~national guard~~ North Carolina National Guard.

When requested to do so by the Governor, the board of education of any local school administrative unit is authorized and directed to furnish a sufficient number of school buses to the North Carolina State Defense Militia or the North Carolina National Guard for the purpose of transporting members of the State defense militia or members of the North Carolina National Guard to and from authorized places of encampment, or to and from places to which members of the State defense militia or members of the North Carolina National Guard are ordered to proceed for the purpose of suppressing riots or insurrections, repelling invasions or dealing with any other emergency. Public school buses so furnished by any local school administrative unit to the ~~North Carolina State Defense Militia~~ State defense militia or the North Carolina National Guard shall be operated by members or employees of the State defense militia or North Carolina National Guard, and all expense of such operation, including any repair or replacement of any bus occasioned by such operation, shall be paid by the State from the appropriations available for the use of the State defense militia or the North Carolina National Guard."

SECTION 78. G.S. 115C-302.1(g) reads as rewritten:

"(g) Service in Armed Forces. – The State Board of Education, in fixing the State standard salary schedule of teachers as authorized by law, shall provide that teachers who entered the ~~armed~~ Armed Forces or auxiliary forces of the United States after September 16, 1940, and who left their positions for such service shall be allowed experience increments for the period of such service as though the same had not been interrupted thereby, in the event such persons return to the position of teachers, principals, and superintendents in the public schools of the State after having been honorably discharged from the ~~armed~~ Armed Forces or auxiliary forces of the United States."

SECTION 79. G.S. 115D-5.1(f1) reads as rewritten:

"(f1) Notwithstanding any other provision of law, the State Board of Community Colleges may adopt guidelines that allow the Customized Training Program to use funds appropriated for that program to support training projects for the various branches of the ~~United States Armed Forces~~ Armed Forces of the United States."

SECTION 80. G.S. 115D-39(a) reads as rewritten:

"(a) The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the ~~armed services~~ Armed Forces, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution

operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the ~~military~~, Armed Forces, consistent with the provisions of G.S. 116-143.3, into the State. Notwithstanding these requirements, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2). Also, a nonresident of the United States who has resided in North Carolina for a 12-month qualifying period and has filed an immigrant petition with the United States Immigration and Naturalization Service shall be considered a State resident for community college tuition purposes."

SECTION 81. G.S. 116-15(e) reads as rewritten:

"(e) Post-secondary Degree Activity within the ~~Military~~ Armed Forces of the United States. – To the extent that an institution undertakes post-secondary degree activity on the premises of military posts or reservations located in this State for military personnel stationed on active duty there, or their dependents, the institution shall be exempt from the licensure requirements of this section."

SECTION 82. G.S. 116-21.3(c) reads as rewritten:

"(c) Any member of the ~~armed services~~, Armed Forces, as defined in G.S. 116-143.3(a), abiding in this State incident to active military duty, who does not qualify as a resident for tuition purposes, as defined under G.S. 116-143.1, is eligible for a legislative tuition grant pursuant to this section if the member is enrolled as a full-time undergraduate student or as a licensure student. The member's legislative tuition grant shall not exceed the cost of tuition less any tuition assistance paid by the member's employer."

SECTION 83. G.S. 116-143.1(h) reads as rewritten:

"(h) No person shall lose his or her resident status for tuition purposes solely by reason of serving in the ~~armed forces~~ Armed Forces of the United States outside this State."

SECTION 84. G.S. 116-143.3 reads as rewritten:

"§ **116-143.3. Tuition of ~~armed services~~ Armed Forces personnel and their dependents.**

(a) Definitions. – The following definitions apply in this section:

- (1) The term "abode" shall mean the place where a person actually lives, whether temporarily or permanently; the term "abide" shall mean to live in a given place.
- (2) The term "~~armed services~~" "Armed Forces" shall mean the United States Air Force, Army, Coast Guard, Marine Corps, and Navy; the North Carolina National Guard; and any ~~Reserve Component~~ reserve component of the foregoing.
- (3) Repealed by Session Laws 2007-484, s. 15, effective August 30, 2007.

(b) Any active duty member of the ~~armed services~~ Armed Forces qualifying for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes under G.S. 116-143.1 shall be charged the in-State tuition rate and applicable mandatory fees for enrollments while the member of the ~~armed services~~ Armed Forces is abiding in this State incident to active military duty in this State. In the event the active duty member of the ~~armed services~~ Armed Forces is reassigned outside of North Carolina or retires, the member shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the member is continuously enrolled in the degree or other program in which the member was enrolled at the time the member is reassigned. In the event the active duty member of the ~~armed services~~ Armed Forces receives an Honorable Discharge from military service, the member shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the member establishes residency in North Carolina within 30 days after the discharge and is continuously enrolled in the degree or other program in which the member was enrolled at the time the member is discharged.

(b1), (b2) Repealed by Session Laws 2004-130, s. 1, effective August 1, 2004.

(c) Any dependent relative of a member of the ~~armed services~~ Armed Forces who is abiding in this State incident to active military duty, as defined by the Board of Governors of The University of North Carolina and by the State Board of Community Colleges while sharing the abode of that member shall be eligible to be charged the in-State tuition rate, if the

dependent relative qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3). The dependent relatives shall comply with the requirements of the Selective Service System, if applicable, in order to be accorded this benefit. In the event the member of the ~~armed services~~ Armed Forces is reassigned outside of North Carolina or retires, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is reassigned or retires. In the event the member of the ~~armed services~~ Armed Forces receives an Honorable Discharge from military service, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative establishes residency within North Carolina within 30 days after the discharge and is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is discharged.

(d) The person applying for the benefit of this section has the burden of proving entitlement to the benefit.

(e) A person charged less than the out-of-state tuition rate solely by reason of this section shall not, during the period of receiving that benefit, qualify for or be the basis of conferring the benefit of G.S. 116-143.1(g), (h), (i), (j), (k), or (l)."

SECTION 85. G.S. 116-209.51 reads as rewritten:

"§ **116-209.51. Purpose.**

The General Assembly of North Carolina, recognizing that the North Carolina National Guard is the only organized, trained and equipped military force subject to the control of the State, hereby establishes a program of tuition assistance for qualifying guard members for the purpose of encouraging voluntary membership in the ~~guard~~ North Carolina National Guard, improving the educational level of its members, and thereby benefiting the State as a whole."

SECTION 86.(a) G.S. 116-209.54(a) reads as rewritten:

"(a) Active members of the North Carolina National Guard who are enrolled or who shall enroll in any business or trade school, private educational institution, or State educational institution shall be eligible to apply for this tuition assistance benefit: Provided, that the applicant has a minimum obligation of two years remaining as a member of the North Carolina National Guard from the end of the academic period for which tuition assistance is provided or that the applicant commit himself or herself to extended membership for at least two additional years from the end of that academic period."

SECTION 86.(b) G.S. 116-209.54(c)(2)a. reads as rewritten:

"a. The applicant has a minimum obligation of two years remaining as a member of the North Carolina National Guard from the time of the application; or"

SECTION 87. G.S. 116-209.55(c) reads as rewritten:

"(c) All tuition benefit disbursements shall be made to the business or trade school or State or private educational institution concerned, for credit to the tuition account of each recipient. Funds disbursed pursuant to subsection (g) of this section shall be made to the student loan creditor concerned to be applied against the outstanding student loans of each North Carolina National Guard member beneficiary."

SECTION 88. G.S. 116-235(b)(1) reads as rewritten:

"(1) Admission of Students. – The School shall admit students in accordance with criteria, standards, and procedures established by the Board of Trustees. To be eligible to be considered for admission, an applicant must be either a legal resident of the State, as defined by G.S. 116-143.1(a)(1), or a student whose parent is an active duty member of the ~~armed services~~ Armed Forces, as defined by G.S. 116-143.3(2), who is abiding in this State incident to active military duty at the time the application is submitted, provided the student shares the abode of that parent; eligibility to remain enrolled in the School shall terminate at the end of any school year during which a student becomes a nonresident of the State. The Board of Trustees shall ensure, insofar as possible without jeopardizing admission standards, that an equal number of qualified applicants is admitted to the program and to the residential summer institutes in science and mathematics from each of North Carolina's congressional districts. In no event shall the differences in the number of qualified applicants offered admission to the program from each

of North Carolina's congressional districts be more than two and one-half percentage points from the average number per district who are offered admission."

SECTION 89. G.S. 120-4.12(d) reads as rewritten:

"(d) Any member of the Retirement System who has eight or more years of creditable service as a member of the General Assembly may purchase prior service credit for service in the ~~armed forces~~ Armed Forces of the United States at the same rates and conditions as set forth in G.S. 120-4.14 and G.S. 120-4.16; provided that credit is allowed only for the initial period of active duty in the ~~armed forces~~ Armed Forces of the United States up to the time the member was first eligible to be separated or released therefrom, and subsequent periods of such active duty as required by the ~~armed forces~~ Armed Forces of the United States up to the date of first eligibility for separation or release therefrom; and further provided that the member submits satisfactory evidence of the service claimed and that service credit be allowed only for the period of active service in the ~~armed forces~~ Armed Forces of the United States not creditable in any other retirement system, except the National Guard or any reserve component of the ~~armed forces~~ Armed Forces of the United States."

SECTION 90. G.S. 126-2(b)(3) reads as rewritten:

"(3) Two State employees subject to the State Personnel Act serving in nonexempt positions, appointed by the Governor, including one of whom is a veteran of the ~~armed forces~~ Armed Forces of the United States appointed upon the nomination of the Veterans' Affairs Commission. One employee shall serve in a State government position having supervisory duties, and one employee shall serve in a nonsupervisory position. Neither employee may be a human resources professional. The Governor shall consider nominations submitted by the State Employees Association of North Carolina. The initial members appointed under this subdivision shall serve terms expiring June 30, 2001; the terms of subsequent appointees shall be six years."

SECTION 91. G.S. 127B-2 reads as rewritten:

"§ 127B-2. Military property defined.

"Military property" means property originally manufactured for the United States or State of North Carolina which is a type and kind issued for use in, or furnished and intended for, the ~~military service~~ Armed Forces of the United States or the militia of the State of North Carolina."

SECTION 92. G.S. 127B-11 reads as rewritten:

"§ 127B-11. Private discrimination prohibited.

No person shall discriminate against any officer, warrant officer or enlisted person of the military ~~or naval~~ forces of the State or of the United States because of their membership therein. No member of these military forces shall be prejudiced or injured by any person, employer, officer or agent of any corporation, company or firm with respect to their employment, position or status or denied or disqualified for employment by virtue of their membership or service in the military forces of this State or of the United States."

SECTION 93. G.S. 127B-12 reads as rewritten:

"§ 127B-12. Public discrimination prohibited.

No officer or employee of the State, or of any county, city and county, municipal corporation, school district, water district, or other district shall discriminate against any officer, warrant officer or enlisted person of the military ~~or naval~~ forces of the State or of the United States because of their membership therein. No member of the military forces shall be prejudiced or injured by any officer or employee of the State, or of any county, city and county, municipal corporation, school district, water district, or other district with respect to their employment, appointment, position or status or denied or disqualified for or discharged from their employment or position by virtue of their membership or service in the military forces of this State or of the United States."

SECTION 94. G.S. 127B-13 reads as rewritten:

"§ 127B-13. Refusing entrance prohibited.

No person shall prohibit or refuse entrance to any officer, warrant officer or enlisted person of the military ~~or naval~~ forces of this State or of the United States into any public place of entertainment, of amusement, or accommodation because the officer or enlisted person is wearing the uniform of the organization to which they belong or because of their membership or service in the military forces of this State or of the United States."

SECTION 95. G.S. 127B-14 reads as rewritten:

"§ 127B-14. Employer discrimination prohibited.

No employer or officer or agent of any corporation, company, or firm, or other person shall discharge any person from employment because of the performance of any emergency military duty by reason of being an officer, warrant officer or enlisted person of the military ~~or naval~~ forces of this State or the United States."

SECTION 96. G.S. 128-15(c) reads as rewritten:

"§ 128-15. Employment preference for veterans and their spouses or surviving spouses.

(c) Hereafter, in all evaluations of applicants for positions with this State or any of its departments, institutions or agencies, a preference shall be awarded to all eligible veterans who are citizens of the State and who served the State or the United States honorably in ~~either the army, navy, marine corps, nurses' corps, air corps, air force, coast guard, or any of the armed services~~ the military forces of this State or of the United States during a period of war. This preference applies to initial employment with the State and extends to other employment events including subsequent hirings, promotions, reassignments, and horizontal transfers."

SECTION 97.(a) G.S. 128-26(a) reads as rewritten:

"§ 128-26. Allowance for service.

(a) Each person who becomes a member during the first year of his or her employer's participation, and who was an employee of the same employer at any time during the year immediately preceding the date of participation, shall file a detailed statement of all service rendered by him or her to that employer prior to the date of participation for which he or she claims credit.

A participating employer may allow prior service credit to any of its employees on account of: their earlier service to the aforesaid employer; or, their earlier service to any other employer as the term employer is defined in G.S. 128-21(11); or, their earlier service to any state, territory, or other governmental subdivision of the United States other than this State.

A participating employer may allow prior service credit to any of its employees on account of service, as defined in G.S. 135-1(23), to the State of North Carolina to the extent of such service prior to the establishment of the Teachers' and State Employees' Retirement System on July 1, 1941; provided that employees allowed such prior service credit pay in a total lump sum an amount calculated on the basis of compensation the employee earned when ~~he~~ the employee first entered membership and the employee contribution rate at that time together with interest thereon from year of first membership to year of payment shall be one half of the calculated cost.

With respect to a member retiring on or after July 1, 1967, the governing board of a participating unit may allow credit for any period of military service in the ~~armed forces~~ Armed Forces of the United States if the person returned to the service of ~~his~~ the person's employer within two years after having been honorably discharged, or becoming entitled to be discharged, released, or separated from such ~~armed services;~~ the Armed Forces of the United States; provided that, notwithstanding the above provisions, any member having credit for not less than 10 years of otherwise creditable service may be allowed credit for such military services which are not creditable in any other governmental retirement system; provided further, that a member will receive credit for military service under the provisions of this paragraph only if ~~he~~ the member submits satisfactory evidence of the military service claimed and the participating unit of which ~~he~~ the member is an employee agrees to grant credit for such military service prior to January 1, 1972.

A member retiring on or after July 1, 1971, who is not granted credit for military service under the provisions of the preceding paragraph will be allowed credit for any period in the ~~armed services~~ Armed Forces of the United States up to the date ~~he~~ the member was first eligible to be separated or released therefrom; provided that ~~he~~ the member was an employee as defined in G.S. 128-21(10) at the time ~~he~~ the member entered military service, and either of the following conditions is met:

- (1) ~~He~~ The member returns to service, with the employer by whom ~~he~~ the member was employed when ~~he~~ the member entered military service, within a period of two years after ~~he~~ the member is first eligible to be separated or released from such military service under other than dishonorable conditions.
- (2) ~~He~~ The member is in service, with the employer by whom ~~he~~ the member was employed when ~~he~~ the member entered military service, for a period of

not less than 10 years after ~~he~~ the member is separated or released from ~~such armed services~~ the Armed Forces of the United States under other than dishonorable conditions."

SECTION 97.(b) G.S. 128-26(j1)(1) reads as rewritten:

"(1) For members who completed 10 years of membership service, and retired members who completed 10 years of membership service prior to retirement, and whose membership began on or prior to January 1, 1988, and who make such purchase within three years after first becoming eligible, the cost shall be an amount equal to the monthly compensation the member earned when ~~he~~ the member first entered membership service times the employee contribution rate at that time times the months of service to be purchased with sufficient interest added thereto so as to equal one-half of the cost of allowing such service, plus an administrative fee to be set by the Board of Trustees."

SECTION 98. G.S. 128-39.1(a) reads as rewritten:

"(a) Any elective or appointive State official may obtain leave of absence from the official's duties when the official enters active duty in the ~~armed forces~~ Armed Forces of the United States or the North Carolina National Guard as a result of being voluntarily or involuntarily activated, drafted, or otherwise called to duty. The official shall receive no salary during the period of leave. No vacancy is created by a State official obtaining a leave of absence under this section."

SECTION 99. G.S. 128-42(a) reads as rewritten:

"(a) Any elective or appointive county or municipal official may obtain leave of absence from the official's duties when the official enters active duty in the ~~armed forces~~ Armed Forces of the United States or the North Carolina National Guard as a result of being voluntarily or involuntarily activated, drafted, or otherwise called to duty. The official shall receive no salary during the period of leave. No vacancy is created by a county or municipal official obtaining a leave of absence under this section."

SECTION 100. G.S. 135-1(10) reads as rewritten:

"(10) "Employee" shall mean all full-time employees, agents or officers of the State of North Carolina or any of its departments, bureaus and institutions other than educational, whether such employees are elected, appointed or employed: Provided that the term "employee" shall not include any person who is a member of the Consolidated Judicial Retirement System, any member of the General Assembly or any part-time or temporary employee. Notwithstanding any other provision of law, "employee" shall include all employees of the General Assembly except participants in the Legislative Intern Program, pages, and beneficiaries in receipt of a monthly retirement allowance under this Chapter who are reemployed on a temporary basis. "Employee" also includes any participant whose employment is interrupted by reason of service in the Uniformed Services, as that term is defined in section 4303(16) of the Uniformed Services Employment and Reemployment Rights Act, Public Law 103-353, if that participant was an employee at the time of the interruption; if the participant does not return immediately after that service to employment with a covered employer in this System, then the participant shall be deemed "in service" until the date on which the participant was first eligible to be separated or released from his or her involuntary military service. In all cases of doubt, the Board of Trustees shall determine whether any person is an employee as defined in this Chapter. "Employee" shall also mean every full-time civilian employee of the ~~Army National Guard and Air National Guard of this State~~ North Carolina National Guard who is employed pursuant to section 709 of Title 32 of the United States Code and paid from federal appropriated funds, but held by the federal authorities not to be a federal employee: Provided, however, that the authority or agency paying the salaries of such employees shall deduct or cause to be deducted from each employee's salary the employee's contribution in accordance with applicable provisions of G.S. 135-8 and remit the same, either directly or indirectly, to the Retirement System; coverage of employees described in this sentence shall commence

upon the first day of the calendar year or fiscal year, whichever is earlier, next following the date of execution of an agreement between the Secretary of Defense of the United States and the Adjutant General of the State acting for the Governor in behalf of the State, but no credit shall be allowed pursuant to this sentence for any service previously rendered in the above-described capacity as a civilian employee of the North Carolina National Guard: Provided, further, that the Adjutant General, in ~~his~~ the Adjutant General's discretion, may terminate the Retirement System coverage of the above-described North Carolina National Guard employees if a federal retirement system is established for such employees and the Adjutant General elects to secure coverage of such employees under such federal retirement system. Any full-time civilian employee of the North Carolina National Guard described above who is now or hereafter may become a member of the Retirement System may secure Retirement System credit for such service as a North Carolina National Guard civilian employee for the period preceding the time when such employees became eligible for Retirement System coverage by paying to the Retirement System an amount equal to that which would have constituted employee contributions if ~~he~~ the employee had been a member during the years of ineligibility, plus interest. Employees of State agencies, departments, institutions, boards, and commissions who are employed in permanent job positions on a recurring basis and who work 30 or more hours per week for nine or more months per calendar year are covered by the provisions of this subdivision. On and after August 1, 2001, a person who is a nonimmigrant alien and who otherwise meets the requirements of this subdivision shall not be excluded from the definition of "employee" solely because the person holds a temporary or time-limited visa."

SECTION 101. G.S. 135-4(f) reads as rewritten:

"(f) Armed Service Credit. –

- (1) Teachers and other State employees who entered the ~~armed services~~ Armed Forces of the United States on or after September 16, 1940, and prior to February 17, 1941, and who returned to the service of the State within a period of two years after they were first eligible to be separated or released from ~~such armed services~~ the Armed Forces of the United States under other than dishonorable conditions shall be entitled to full credit for all prior service.
- (2) Teachers and other State employees who entered the ~~armed services~~ Armed Forces of the United States on or after September 16, 1940, and who returned to the service of the State prior to October 1, 1952, or who devote not less than 10 years of service to the State after they are separated or released from ~~such armed services~~ the Armed Forces of the United States under other than dishonorable conditions, shall be entitled to full credit for all prior service, and, in addition they shall receive membership service credit for the period of service in ~~such armed services~~ the Armed Forces of the United States up to the date they were first eligible to be separated or released therefrom, occurring after the date of establishment of the Retirement System.
- (3) Teachers and other State employees who enter the ~~armed services~~ Armed Forces of the United States on or after July 1, 1950, or who engage in active military service on or after July 1, 1950, and who return to the service of the State within a period of two years after they are first eligible to be separated or released from such active military service under other than dishonorable conditions shall be entitled to full membership service credit for the period of such active service in the ~~armed services~~ Armed Forces of the United States.
- (4) Under such rules as the Board of Trustees shall adopt, credit will be provided by the Retirement System with respect to each such teacher or other State employee in the amounts that he or she would have been paid during such service in ~~such armed services~~ the Armed Forces of the United

States on the basis of his or her earnable compensation when such service commenced. Such contributions shall be credited to the individual account of the member in the annuity savings fund, in such manner as the Board of Trustees shall determine, but any such contributions so credited and any regular interest thereon shall be available to the member only in the form of an annuity, or benefit in lieu thereof, upon ~~his~~the member's retirement on a service, disability or special retirement allowance; and in the event of cessation of membership or death prior thereto, any such contributions so credited and regular interest thereon shall not be payable to ~~him~~the member or on ~~his~~the member's account, but shall be transferred from the annuity savings fund to the pension accumulation fund. If any payments were made by a member on account of such service as provided by subdivision (5) of subsection (b) of G.S. 135-8, the Board of Trustees shall refund to or reimburse such member for such payments.

- (5) The provisions of this subsection shall also apply to members of the North Carolina National Guard with respect to teachers and State employees who are called into federal service or who are called into State service, to the extent that such persons fail to receive compensation for performance of the duties of their employment other than for service in the North Carolina National Guard.
- (6) Repealed by Session Laws 1981, c. 636, s. 1. For proviso as to inchoate or accrued rights, see Editor's Note below.
- (7) Notwithstanding any other provision of this Chapter, any member and any retired member as herein described may purchase creditable service in the Armed Forces of the United States, not otherwise allowed, by paying a total lump sum payment determined as follows:
 - a. For members who completed 10 years of membership service, and retired members who completed 10 years of membership service prior to retirement, whose membership began on or prior to July 1, 1981, and who make this purchase within three years after first becoming eligible, the cost shall be an amount equal to the monthly compensation the member earned when ~~he~~the member first entered membership service times the employee contribution rate at that time times the months of service to be purchased, with sufficient interest added thereto so as to equal one-half of the cost of allowing this service, plus an administrative fee to be set by the Board of Trustees.

...."
SECTION 102. G.S. 135-45.1(17) reads as rewritten:

"(17) National Guard members. – Members of the North Carolina ~~Army and Air~~ National Guard who are not eligible for any type of comprehensive group health insurance or other comprehensive group health benefit coverage and who have been without any form of group health insurance or other comprehensive group health benefit coverage for at least six months. Members of the North Carolina ~~Army and Air~~ National Guard include those who are actively serving in the North Carolina National Guard as well as former members of the North Carolina National Guard who have completed 20 or more years of service in the North Carolina National Guard but have not attained the minimum age to begin receipt of a uniformed service military retirement benefit. Comprehensive group health insurance and other benefit coverage consists of inpatient and outpatient hospital and medical benefits, as well as other outpatient medical services, prescription drugs, medical supplies, and equipment that are generally available in the health insurance market. Comprehensive group health insurance and other benefit coverage includes Medicare benefits, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, and other Uniformed Services benefits. North Carolina National Guard units shall certify the eligibility of their members to the Plan for their participation in its benefits prior to enrollment."

SECTION 103. G.S. 135-45.12(d)(2) reads as rewritten:

- "(2) In the event of approved leave of absence without pay, other than for active duty in the ~~armed forces~~ Armed Forces of the United States, coverage under this Plan for an employee and his or her dependents may be continued during the period of such leave of absence by the employee's paying one hundred percent (100%) of the cost."

SECTION 104. G.S. 143-166.2(e) reads as rewritten:

"(e) The term "spouse" shall mean the wife or husband of the deceased officer, fireman, rescue squad worker or senior Civil Air Patrol member who survives him and who was residing with such officer, fireman, rescue squad worker, or senior Civil Air Patrol member at the time of and during the six months next preceding the date of injury to such officer, fireman, rescue squad worker or senior Civil Air Patrol member which resulted in his death and who also resided with such officer, fireman, rescue squad worker or senior Civil Air Patrol member from that date of injury up to and at the time of his death and who remains unmarried during the time benefits are forthcoming; provided, however, the part of this section requiring the spouse to have been residing with the deceased officer, fireman, rescue squad worker or senior Civil Air Patrol member for six months next preceding the date of the injury which resulted in his death shall not apply where marriage occurred during this six-month period or where the officer, fireman, rescue squad worker or senior Civil Air Patrol member was absent during this six-month period due to service in the ~~armed forces of this country~~ Armed Forces of the United States."

SECTION 105. G.S. 143B-515(14) reads as rewritten:

- "(14) Juvenile. – Except as provided in subdivisions (7) and (22) of this section, any person who has not reached the person's eighteenth birthday and is not married, emancipated, or a member of the ~~armed forces~~ Armed Forces of the United States. Wherever the term "juvenile" is used with reference to rights and privileges, that term encompasses the attorney for the juvenile as well."

SECTION 106. G.S. 145-32 reads as rewritten:

"§ 145-32. Honor and Remember Flag.

The Honor and Remember Flag created by Honor and Remember, Inc., is adopted as a symbol to honor and recognize members of the ~~United States~~ Armed Forces of the United States who have died in the line of duty."

SECTION 107. G.S. 147-33.2 reads as rewritten:

"§ 147-33.2. Emergency war powers of the Governor.

Upon ~~his~~ the Governor's own initiative, or on the request or recommendation of the President of the United States, the ~~army, navy~~ United States Army, Navy, or any other branch of the ~~armed forces~~ Armed Forces of the United States, the federal Director of Civilian Defense, or any other federal officer, department or agency having duties and responsibilities related to the prosecution of the war or the health, welfare, safety and protection of the civilian population, whenever in ~~his~~ the Governor's judgment any such action is in the public interest and is necessary for the protection of the lives or property of the people of the State, or for the defense and security of the State or nation, or for the proper conduct of the war and the successful prosecution thereof, the Governor may, with the approval of the Council of State, at any time and from time to time during the existing state of war:

- ...
- (6) Authorize any department or agency of the State to lease or lend to the ~~army, navy~~ United States Army, Navy, or any other branch of the ~~armed forces~~ Armed Forces of the United States, any real or personal property of the State upon such terms and conditions as ~~he~~ the Governor may impose, or, on behalf of the State, to make a contract directly therefor.
- (7) Authorize the temporary transfer of personnel of the State for employment by the ~~army, navy~~ United States Army, Navy, or any other branch of the ~~armed forces~~ Armed Forces of the United States and fix the terms and conditions of such transfers.
- (8) At any time when the General Assembly is not in session, suspend, or modify, in whole or in part, generally or in its application to certain classes of persons, firms, corporations or circumstances, any law, rule or regulation with reference to the subjects hereinafter enumerated, when ~~he~~ the Governor shall find and proclaim after such study, investigation or hearings as ~~he~~ the Governor may direct, make or conduct, that the operation, enforcement or

application of such law, or any part thereof, materially hinders, impedes, delays or interferes with the proper conduct of the war; said subjects being as follows:

...

d. Whenever it should be certified by the Adjutant General of the State that emergency conditions require such procedure, the Governor, with the approval of the Council of State, shall have the power to call up and mobilize the State militia; to provide transportation and facilities for mobilization and full utilization of the State militia, in such emergency; and to allocate from the Contingency and Emergency Fund such amounts as may be necessary for such purposes during the period of such emergency;

...

(13) Hold and conduct hearings, administer oaths and take testimony, issue subpoenas to compel the attendance of witnesses and the production of relevant books, papers, records or documents, in connection with any investigation made by ~~him~~the Governor under the authority of this Article."

SECTION 108. G.S. 157-53(f) reads as rewritten:

"(f) "Persons engaged in national defense activities," as used in this Article shall include: enlisted personnel in the ~~armed services~~Armed Forces of the United States and employees of the Defense Department assigned to duty at ~~armed forces~~reservations, posts or bases; ~~bases of the Armed Forces of the United States~~; and workers engaged or to be engaged in industries connected with and essential to the National Defense Program; and shall include the families of the aforesaid persons who are living with them."

SECTION 109. G.S. 161-10.1 reads as rewritten:

"§ 161-10.1. Exemption of ~~armed forces~~Armed Forces discharge documents and certain other records needed in support of claims for veterans' benefits.

Any schedule of fees which is now or may be prescribed in Chapter 161 of the General Statutes or in G.S. 161-10 shall not apply to nor shall the same repeal any of the provisions of Article 5 of Chapter 47 of the General Statutes. Any schedule of fees which is now or may be hereafter prescribed in Chapter 161 of the General Statutes or as may appear in G.S. 161-10 shall not apply to nor shall the same repeal any of the provisions of G.S. 165-11."

SECTION 110. G.S. 163-27.1(3) reads as rewritten:

"(3) An armed conflict involving ~~United States armed forces~~Armed Forces of the United States, or mobilization of those forces, including ~~State~~North Carolina National Guard and reserve components of the Armed Forces of the United States."

SECTION 111. G.S. 163-82.21 reads as rewritten:

"§ 163-82.21. Voter registration at military recruitment offices.

The Executive Director, jointly with the Department of Defense, shall develop and implement procedures for persons to apply to register to vote at recruitment offices of the ~~armed forces~~Armed Forces of the United States in compliance with section 7(c) of the National Voter Registration Act."

SECTION 112. G.S. 165-3(4)b. reads as rewritten:

"b. For entitlement to the services of the Department of Administration, any person who may be entitled to any benefits or rights under the laws of the United States by reason of service in the ~~armed forces~~Armed Forces of the United States."

SECTION 113. G.S. 165-13 reads as rewritten:

"§ 165-13. Definition.

As used in this Article, "veteran" means any person who may be entitled to any benefits or rights under the laws of the United States, by reason of service in the ~~armed forces~~Armed Forces of the United States."

SECTION 114. G.S. 165-17 reads as rewritten:

"§ 165-17. Definition.

As used in this Article, "veteran" means any person who may be entitled to any benefits or rights under the laws of the United States, by reason of service in the ~~armed forces~~Armed Forces of the United States."

SECTION 115. G.S. 165-20 reads as rewritten:

"§ 165-20. Definitions.

As used in this Article the terms defined in this section shall have the following meaning:

- (1) "Active federal service" means full-time duty in the ~~armed forces~~ Armed Forces other than active duty for training; however, if disability or death occurs while on active duty for training (i) as a direct result of armed conflict or (ii) while engaged in extra-hazardous service, including such service under conditions simulating war, such active duty for training shall be considered as active federal service.
- (2) "~~Armed forces~~" "Armed Forces" means the ~~army, navy, marine corps, air force and coast guard,~~ United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including their reserve components.
- (3) "Child" means a person: (i) under 25 years of age at the time of application for a scholarship, (ii) who is a domiciliary of North Carolina and is a resident of North Carolina when applying for a scholarship, (iii) who has completed high school or its equivalent prior to receipt of a scholarship awarded under this Article, (iv) who has complied with the requirements of the Selective Service System, if applicable, and (v) who further meets one of the following requirements:
 - a. A person whose veteran parent was a legal resident of North Carolina at the time of said veteran's entrance into that period of service in the ~~armed forces~~ Armed Forces during which eligibility is established under G.S. 165-22.
- (4) "Period of war" and "wartime" shall mean any of the periods or circumstances as defined below:
 - a. World War I, meaning (i) the period beginning on April 6, 1917 and ending on November 11, 1918, and (ii) in the case of a veteran who served with the ~~United States armed forces~~ Armed Forces in Russia, the period beginning on April 6, 1917 and ending on April 1, 1920.
 - b. World War II, meaning the period beginning on December 7, 1941 and ending on December 31, 1946.
 - c. Korean Conflict, meaning the period beginning on June 27, 1950 and ending on January 31, 1955.
 - d. Vietnam era, meaning the period beginning on August 5, 1964, and ending on May 7, 1975.
 - d1. Persian Gulf War, meaning the period beginning on August 2, 1990, and ending on the date prescribed by Presidential proclamation or concurrent resolution of the United States Congress.
 - e. Any period of service in the ~~armed forces~~ Armed Forces during which the veteran parent of an applicant for a scholarship under this Article suffered death or disability (i) as a direct result of armed conflict or (ii) while engaged in extra-hazardous service, including such service under conditions simulating war.
- (7) "Veteran" means a person who served as a member of the ~~armed forces of the United States~~ Armed Forces in active federal service during a period of war and who was separated from the ~~armed forces~~ Armed Forces under conditions other than dishonorable. A person who was separated from the ~~armed forces~~ Armed Forces under conditions other than dishonorable and whose death or disability was incurred (i) as a direct result of armed conflict or (ii) while engaged in extra-hazardous service, including such service under conditions simulating war, shall also be deemed a "veteran" and such death or disability shall be considered wartime service-connected."

SECTION 116. G.S. 165-22 reads as rewritten:

"§ 165-22. Classes or categories of eligibility under which scholarships may be awarded.

A child, as defined in this Article, who falls within the provisions of any eligibility class described below shall, upon proper application be considered for a scholarship, subject to the provisions and limitations set forth for the class under which ~~he~~ the child is considered:

- (1) Class I-A: Under this class a scholarship shall be awarded to any child whose veteran parent
 - a. Was killed in action or died from wounds or other causes not due to ~~his-the parent's~~ own willful misconduct while a member of the armed forces during a period of war, or
 - b. Has died of service-connected injuries, wounds, illness or other causes incurred or aggravated during wartime service in the ~~armed forces,~~ Armed Forces, as rated by the United States Department of Veterans Affairs.
- ...
- (3) Class II: Under this class a scholarship may be awarded to not more than 100 children yearly, each of whose veteran parent, at the time the benefits pursuant to this Article are sought to be availed of:
 - a. Is or was at the time of ~~his-the parent's~~ death receiving compensation for a wartime service-connected disability of twenty percent (20%) or more, but less than one hundred percent (100%), as rated by the United States Department of Veterans Affairs, or
 - b. Was awarded a Purple Heart for wounds received as a result of an act of any opposing armed force, as a result of an international terrorist attack, or as a result of military operations while serving as part of a peacekeeping force.
- ...
- (5) Class IV: Under this class a scholarship as defined in G.S. 165-21 shall be awarded to any child whose parent, while serving honorably as a member of the ~~armed forces of the United States~~ Armed Forces in active federal service during a period of war, as defined in G.S. 165-20(4), was listed by the United States government as (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power."

SECTION 117. G.S. 165-24 reads as rewritten:

"§ 165-24. Finding and declaration of necessity.

It is hereby declared that conditions resulting from the concentration in various cities and towns of the State having a population of more than one hundred thousand inhabitants of persons serving in the ~~armed forces~~ Armed Forces of the United States in connection with the present war, or who after having served in the ~~armed services~~ Armed Forces of the United States during the present war, or previously have been honorably discharged, require the construction, maintenance and operation of adequate recreation facilities for the use of such persons; that it is in the public interest that adequate recreation facilities be provided in such concentrated centers; and the necessity, in the public interest, for the provisions hereinafter enacted is hereby declared as a matter of legislative determination."

SECTION 118. G.S. 165-25(10) reads as rewritten:

"(10) "Veteran" shall include every person who has enlisted or who has been inducted, warranted or commissioned, and who served honorably in active duty in the military ~~or naval~~ service of the United States at any time, and who is honorably separated or discharged from such service, or who, at the time of making use of the facilities, is still in active service, or has been retired, or who has been furloughed to a reserve. This definition shall be liberally construed, with a view completely to effectuate the purpose and intent of this Article."

SECTION 119. G.S. 165-39 reads as rewritten:

"§ 165-39. Validity of acts of agent performed after death of principal.

No agency created by a power of attorney in writing given by a principal who is at the time of execution, or who, after executing such power of attorney, becomes, either (i) a member of the ~~armed forces~~ Armed Forces of the United States, or (ii) a person serving as a merchant seaman outside the limits of the United States, included within the several states and the District of Columbia; or (iii) a person outside said limits by permission, assignment or direction of any department or official of the United States government, in connection with any activity pertaining to or connected with the prosecution of any war in which the United States is then engaged, shall be revoked or terminated by the death of the principal, as to the agent or other

person who, without actual knowledge or actual notice of the death of the principal, shall have acted or shall act, in good faith, under or in reliance upon such power of attorney or agency, and any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the principal."

SECTION 120. G.S. 165-43 reads as rewritten:

"§ 165-43. Protecting status of State employees in ~~armed forces~~, Armed Forces, etc.

Any employee of the State of North Carolina, who has been granted a leave of absence for service in either (i) the ~~armed forces~~ Armed Forces of the United States; or (ii) the ~~merchant marine of the United States~~; United States Merchant Marine; or (iii) outside the continental United States with the Red Cross, shall, upon return to State employment, if reemployed in the same position and if within the time limits set forth in the leave of absence, receive an annual salary of at least (i) the annual salary the employee was receiving at the time such leave was granted; plus (ii) an amount obtained by multiplying the step increment applicable to the employee's classification as provided in the classification and salary plan for State employees by the number of years of such service, counting a fraction of a year as a year; provided that no such employee shall receive a salary in excess of the top of the salary range applicable to the classification to which such employee is assigned upon return."

SECTION 121. G.S. 165-44 reads as rewritten:

"§ 165-44. Korean and Vietnam veterans; benefits and privileges.

(a) All benefits and privileges now granted by the laws of this State to veterans of World War I and World War II and their dependents and next of kin are hereby extended and granted to veterans of the Korean Conflict and their dependents and next of kin.

For the purposes of this section, the term "veterans of the Korean Conflict" means those persons serving in the ~~armed forces~~ Armed Forces of the United States during the period beginning on June 27, 1950, and ending on January 31, 1955.

(b) All benefits and privileges now granted by the laws of this State to veterans of World War I, World War II, the Korean Conflict, and their dependents and next of kin are hereby extended and granted to veterans of the Vietnam era and their dependents and next of kin.

For purposes of this section, the term "veterans of the Vietnam era" means those persons serving in the ~~armed forces~~ Armed Forces of the United States during the period beginning August 5, 1964, and ending on such date as shall be prescribed by Presidential proclamation or concurrent resolution of the Congress."

SECTION 122. G.S. 165-44.01(d)(1) reads as rewritten:

"(1) Military service medal. – Any medal, badge, ribbon, or other decoration awarded by the active or reserve components of the ~~armed forces~~ Armed Forces of the United States, the ~~North Carolina Air National Guard~~, or the ~~North Carolina Army National Guard~~ States or the North Carolina National Guard to members of those forces."

SECTION 123. The title of Article 7A of Chapter 165 of the General Statutes reads as rewritten:

"Article 7A.

Priority in Employment Assistance for ~~United States Armed Forces Veterans~~ Veterans of the Armed Forces of the United States."

SECTION 124. G.S. 165-44.2 reads as rewritten:

"§ 165-44.2. Veteran defined.

For the purposes of this Article, "veteran" means a person who served on active duty (other than for training) in any component of the ~~United States Armed Forces~~ of the United States for a period of 180 days or more, unless released earlier because of service-connected disability, and who was discharged or released from the ~~armed forces~~ Armed Forces of the United States under honorable conditions."

SECTION 125. G.S. 165-51 reads as rewritten:

"§ 165-51. Program staff.

The Division shall appoint and fix the salary of an Administrative Officer for the State veterans home program. The Administrative Officer shall be an honorably discharged veteran who has served in active military service in the ~~armed forces~~ Armed Forces of the United States for other than training purposes. The Administrative Officer shall direct the establishment of the State veterans home program, coordinate the master planning, land acquisition, and construction of all State veterans homes under the procedures of the Office of State

Construction, and oversee the ongoing operation of said veterans homes. The Division may hire any required additional administrative staff to help with administrative and operational responsibilities at each established State ~~Veterans Home~~, veterans home."

SECTION 126. G.S. 165-53(a) reads as rewritten:

"(a) To be eligible for admission to a State veterans home, an applicant shall meet the following requirements:

- (1) The veteran shall have served in the active ~~armed forces~~ Armed Forces of the United States for other than training purposes;
- (2) The veteran shall have been discharged from the ~~armed forces~~ Armed Forces of the United States under honorable conditions;
- (3) The veteran shall be disabled by age, disease, or other reason as determined through a physical examination by a State veterans home physician; and
- (4) The veteran shall have resided in the State of North Carolina for two years immediately prior to the date of application."

SECTION 127.(a) The Revisor of Statutes is authorized to substitute, consistent with this act, the term "Armed Forces of the United States" for the following terms, wherever these terms appear in the General Statutes, when referring to the Armed Forces of the United States:

- (1) "armed forces."
- (2) "Armed Forces."
- (3) "armed forces of the United States."
- (4) "armed services of the United States."
- (5) "United States armed services."
- (6) "United States armed forces."
- (7) "United States Armed Forces."
- (8) "U.S. armed forces."
- (9) "U.S. Armed Forces."

SECTION 127.(b) The Revisor of Statutes is authorized to insert, consistent with this act, the words "United States" before references to the "army," "navy," "marine corps," "coast guard," and "air force," wherever these terms appear in the General Statutes, when referring to a branch or branches of the Armed Forces of the United States, and to capitalize those terms.

SECTION 127.(c) The Revisor of Statutes is authorized to substitute, consistent with this act, the term "North Carolina National Guard" for the terms "National Guard," "national guard," and "guard," wherever these terms appear in the General Statutes, when referring to the North Carolina National Guard.

SECTION 128. Except as provided in subsection (c) of Section 69 of this act, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 14th day of June, 2011.

Walter H. Dalton
President of the Senate

Thom Tillis
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____ .m. this _____ day of _____, 2011