



# 2023 North Carolina Legislative Session:

An Opportunity to Unlock Economic Potential and Build Resilience



## Mission Statement

The NC Justice Center is dedicated to transforming North Carolina’s prosperity into opportunity for all. Our mission is to eliminate poverty in North Carolina by ensuring every household in the state has access to the resources, services, and fair treatment it needs to achieve economic security.

To make opportunity and prosperity for all a reality, we work toward:

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Jobs that are safe, pay a living wage, and provide benefits

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Access to quality and affordable health care

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Quality public education for every child

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Consumer protections from abusive practices

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Safe and affordable housing

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Public investments that expand opportunities for economic security

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A just and stable revenue system that adequately funds public investments while fairly distributing tax responsibility

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A fair and non-discriminatory criminal justice system, from arrest to reentry

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Equitable treatment for everyone in North Carolina—regardless of race, ethnicity, country of origin, citizenship status, religion, disability, age, sex, gender identity, or sexual orientation

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## JANUARY 2023

Amid the backdrop of a stubborn pandemic, continued economic uncertainty, and rising inflation that is only now beginning to abate, North Carolina lawmakers are beginning a new legislative session.

As we reflect on the many ways COVID-19 illustrated the harms of systemic inequities, we are called to see these problems anew and engage them with boldness to ensure prosperity and opportunity for all North Carolinians.

The pandemic revealed critical policies, practices, and systems that need to be strengthened. Now, with nearly three years of data and information available to guide decision-making,



lawmakers have a unique opportunity to leverage what we have learned to adopt policies that advance the health and economic security of all North

Carolinians and build resilience for years to come.

This legislative agenda offers policy recommendations to better insulate North Carolina from future crises, remove barriers to economic mobility, and ensure every North Carolinian—white, Black, and

brown—has the opportunity and resources needed to thrive in our state.

## ▣ Advance equitable economic stabilization strategies and safety net supports

- ▣ Oppose any further reduction in the corporate income tax rate.
- ▣ Support transition from a flat individual income tax to a progressive income tax structure.
- ▣ Reinstate NC Earned Income Tax Credit, refundable and set at 20 percent of the federal credit.
- ▣ Increase funding for childcare subsidies to reduce the wait list for working parents who seek childcare financial assistance, raise the wages of childcare providers, and ensure market rates reflect the true cost of childcare.
- ▣ Increase Temporary Assistance for Needy Families/Work First Program benefit levels and remove parent co-pay requirement for childcare services (currently set at ten percent of monthly family income).
- ▣ Fully leverage state and federal (e.g., Infrastructure Investment and Jobs Act [IIJA]) funding streams to increase



broadband access for rural and low-income communities.

- ▣ Fully leverage state and federal (e.g., IIJA and Inflation Reduction Act [IRA]) funding streams to increase weatherization programs, enable installation of energy-saving equipment, and make building upgrades in low-income communities.

## □ Reform North Carolina's Unemployment Insurance program to support workers and insulate the broader economy

- Increase duration for receiving benefits to 26 weeks.
- Increase weekly benefit amount.
- Increase the maximum weekly benefit amount reduced to \$350 ten years ago and index it to the state's wage growth.
- Keep workers employed by establishing a work-sharing/short-time compensation option for employers.
- Reestablish eligibility for leaving work because of family hardship.
- Repeal waiting period for benefits.
- End overpayment collections when claimant is not at fault.
- Allow more part-time workers to qualify for benefits.



## □ Improve wages and benefits for workers so they can meet the needs of their families

- Raise the North Carolina minimum wage.
- Ensure everyone in North Carolina has access to paid family leave to welcome the birth or adoption of a child, provide extended medical care for a sick loved one, and recover from illness.
- Guarantee workers have a minimum number of paid sick days to care for themselves, sick children, and parents.
- Ensure workers can use existing paid or unpaid sick time for preventative healthcare and for family caregiving needs (kin care).
- Ensure workers who are survivors of sexual assault, domestic violence, and stalking can take existing paid or unpaid sick time to seek necessary services and support (safe time).
- Ensure inclusive family definition in any paid leave, paid sick days, kin care, and safe time legislation.



## Improve worker safety

-  Adopt legislation requiring employers to follow CDC guidelines for airborne infectious diseases that pose a public health emergency.



## □ Ensure workers are able to impact their working conditions through collective bargaining and the freedom to move between jobs

- Increase job mobility by limiting the use of restrictive employment agreements.
- Ensure all employees, including public employees, can engage in collective bargaining to improve their workplaces.



## ▣ Protect the well-being of North Carolinians by improving health care systems

- ▣ Expand Medicaid eligibility to include adults with incomes up to 138 percent of the poverty line without creating new administrative barriers that will limit enrollment.
- ▣ Ensure recipients of Medicaid coverage under managed care understand this transformation and their rights.
- ▣ Ensure the Medicaid managed care process provides optimal outcomes for all North Carolinians, including people of color and those with chronic illness and disabilities.
- ▣ Work with Prepaid Health Plans to ensure Medicaid Managed Care Member Advisory Committee members can provide input and feedback to ensure improved experiences and access to services.
- ▣ Advance efforts to address medical debt and reduce prescription drug costs.



- ▣ Prevent the proliferation of junk insurance products that jeopardize affordability of comprehensive health coverage and protections for North Carolinians with pre-existing conditions.
- ▣ Oppose legislation that would further restrict access to abortion care.

## ■ Provide increased access to economic opportunity and protection for those in the immigrant community

- Establish access to driver's licenses for the undocumented immigrant community.
- Provide in-state tuition for North Carolinian youth, regardless of their immigration status.
- Protect the immigrant community from further efforts to compel local law enforcement to operate as an extension of immigration enforcement.
- Increase employment opportunities for work-authorized individuals, including those with Deferred Action for Childhood Arrivals (DACA), such as through expanded access to occupational and professional licenses.



## ▣ Support programs that protect and aid tenants, homeowners, and consumers

### ● Increase access to safe, decent, and affordable housing

- ▣ Substantially increase recurring funding to the North Carolina Housing Trust Fund and Workforce Housing Loan Fund.
- ▣ Increase Community Development Block Grant amount dedicated to affordable housing.
- ▣ Establish a process to remove an eviction filing from a tenant's record when the case is resolved.
- ▣ Limit background screening businesses' use of eviction court records when no judgment is entered against the tenant.
- ▣ Update the state's property tax relief programs to further reduce the burden on low-income families while protecting the most vital source of revenue for local governments.
- ▣ Increase the filing fee that mortgage servicers are required to pay into the State Home Foreclosure Prevention Trust Fund to increase funding for



housing counseling and legal services to assist vulnerable homeowners in avoiding foreclosure.

- ▣ Reduce local governments' restrictions and barriers to building affordable housing.
- ▣ Provide incentives and processes that encourage the sale of manufactured home parks to residents.

□ Support programs that protect and aid tenants, homeowners, and consumers *(cont.)*

● Protect consumers from abusive predatory lending and other harmful practices

□ Support legislation improving North Carolina legal protections against debt settlement companies.

□ Support legislation protecting domestic violence victims from financial abuse in the form of coerced debt incurred as a result of the threat of harm from an abusive partner.

□ Support legislation that reduces burdensome medical debt and protects patients in their dealings with medical creditors, medical debt buyers, and medical debt collectors concerning such debt.

□ Oppose legislation that weakens North Carolina laws against debt-buyer and debt-collection practices.

□ Oppose legislation weakening rent-to-own regulations.

□ Protect existing North Carolina mortgage lending and mortgage broker laws.



□ Oppose legislation that legalizes payday lending or car title lending.

□ Oppose increased rates and fees on consumer loans.

□ Support programs that protect and aid tenants, homeowners, and consumers *(cont.)*

● Ensure people with low incomes have access to affordable, environmentally-sustainable energy

- Support energy efficiency, urgent repair, and weatherization programs for individuals and families with low incomes.
- Support renewable energy and retire expensive, inefficient coal-fired power plants.
- Oppose legislation that raises electric rates or changes utility regulation without protecting and assisting consumers with low incomes.



## ■ Promote opportunity for and protect people who are currently or have been incarcerated, and improve fairness and equity in the justice system

### ● Reduce the population and improve living conditions in North Carolina prisons

- Mandate early release based on length of time from release date, type of conviction, and disparity of the sentence with current sentencing laws.
- Expand the authority and capacity of the North Carolina Post-Release Supervision and Parole Commission and other decision-making entities within the North Carolina Department of Public Safety to conduct individual assessments of suitability for early release and other decarceration-focused relief.
- Reform structured sentencing laws to shorten the maximum length of active sentences, eliminate use of mandatory minimums and “habitual” offenses, and reinstate the broad use of parole and other “second look” mechanisms like the North Carolina First Step Act.



- Require courts to consider alternatives to incarceration to keep primary caregivers with their children.
- End solitary confinement.
- Abolish the death penalty.

## □ Facilitate the successful reentry of people with criminal records

- Provide proper treatment to individuals in prison with behavioral and substance use conditions.
- Provide funding and incentives to significantly increase housing and employment opportunities, especially for people exiting prison and people on the sex offense registry.
- Provide funding for legal services to assist with expunctions and driver's license restoration.



## ▣ Increase opportunities to expunge criminal records

- ▣ Expand eligibility for expunctions to multiple nonviolent felony convictions after 10 years of good behavior and at the discretion of a judge.
- ▣ Narrow the misdemeanor and felony convictions considered “violent” and currently excluded from expunction relief.
- ▣ Increase access to expunction to allow certain convictions to be expunged through the operation of law.



## ▣ Improve the fairness and equity of North Carolina's criminal justice system

- ▣ Reduce court fees, mandate "ability to pay" protections, and eliminate draconian collection mechanisms like the indefinite suspension of driving privileges for "failure to pay."
- ▣ Provide judges the discretion not to require sex offense registration for certain misdemeanor sex offenses.
- ▣ Prohibit the commercial extortion and exploitation of booking photos ("mug shots") as an unfair trade practice.
- ▣ Repeal the North Carolina Unauthorized Substances Tax (the "Drug Tax").
- ▣ Repeal the disqualification of Supplemental Nutrition Assistance Program (SNAP) benefits for individuals convicted of felony drug offenses.
- ▣ Extend voting rights to people on probation, parole, or post-release supervision for a felony conviction.



## ▣ Support the state's public education systems

- Comply with all Leandro court orders to provide a plan for high-quality early education
  
- ▣ Expand NC Pre-K with goal of ensuring all eligible students may attend a high-quality, full-year prekindergarten program by the 2027-28 school year.
  
- ▣ Expand funding for the childcare subsidy system.
  
- ▣ Increase Smart Start funding with the goal of meeting 25 percent of the statewide need for children from birth to age five by the 2027-28 school year.



## ● Comply with all Leandro court orders to ensure adequate and equitable K-12 funding

- ▣ Ensure additional funding to benefit all students, particularly in categories such as classroom teachers, instructional support personnel, teacher assistants, textbooks, and supplies.
- ▣ Ensure adequate funding for teachers and instructional support personnel to address statewide staffing shortages.
- ▣ Expand supplemental funding for disadvantaged students, disabled students, English learners, and low-wealth districts.
- ▣ Offer educator pay that is competitive with other professions.
- ▣ Implement recommendations from the DRIVE Task Force to improve the diversity of the teaching profession.
- ▣ Overhaul school accountability measures to add additional, non-test-based measures of school quality and minimize the role of raw test scores.
- ▣ Offer supports for high-poverty schools such as a fully staffed Department of



Public Instruction District & Regional Support team and technical assistance for Community Schools models.

- ▣ Ensure Leandro monitoring plan includes representation and involvement from student groups most impacted by harmful policies and declining investments, such as students of color, disabled students, English learners, and rural communities.

▣ Support the state’s public education systems *(cont.)*

● Provide necessary measures to create a world-class education system and help students compensate for interruptions to education created by the COVID-19 pandemic

- ▣ Close the digital divide for students by funding technology infrastructure in schools and expanding broadband access, particularly in rural and low-income communities.
- ▣ Bring school support staff (nurses, school counselors, and social workers) ratios in line with nationally recognized industry recommendations.
- ▣ Provide schools with supplementary funding to expand learning time via expanded calendar and after-school opportunities.
- ▣ Create incentives and provide technical assistance to districts implementing school integration plans.
- ▣ Address the current backlog of capital needs through a statewide school bond.
- ▣ Cap school privatization options that



exacerbate segregation and increase costs.

- ▣ Improve accountability provisions for school privatization options.
- ▣ Provide districts with an additional year of waivers from punitive test-based accountability measures.

▣ Support the state’s public education systems *(cont.)*

- Prevent students from experiencing harm due to legislation impacting mental health supports, prohibitions on truthful teaching of racial discrimination, and attempts to ban access to books or instructional materials.

- ▣ Oppose legislation that would harm or marginalize students based on their sexual identity (e.g., HB 755, North Carolina’s version of Florida’s “Don’t Say Gay” legislation).
- ▣ Oppose efforts to interfere with teachers’ ability to have honest conversations about our nation’s history of racial discrimination.
- ▣ Prevent legislation that would facilitate censorship or banning of instructional materials.



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