

H. B. 143

CHAPTER 297

AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-86(2) is rewritten to read as follows:

“(2) ‘Day care’ includes any child-care arrangement under which a child less than 13 years of age receives care away from his own home by persons other than his parents, grandparents, aunts, uncles, brothers and sisters who are not minors, and guardians or full-time custodians.”

Sec. 2. G.S. 110-86(4) is rewritten to read as follows:

“(4) ‘Day-care plan’ includes any day-care program or child-care arrangement in which any person provides day care for more than one child and less than six children at any one time, wherever operated, and whether or not operated for profit. To determine whether a child-care arrangement is a day-care plan, all children shall be counted except the school-age children of the plan operator or provider. The person who is registered shall be the individual who is actually providing care on site for the children.”

Sec. 3. G.S. 110-103 is rewritten to read as follows:

“Penalty. Any person who violates the provisions of G.S. 110-98 through G.S. 110-100 or G.S. 110-102 shall be guilty of a general misdemeanor. Any person who violates G.S. 110-101 shall be guilty of a misdemeanor punishable by a fine not to exceed fifty dollars (\$50.00), imprisonment for not more than 30 days, or both.”

Sec. 4. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 11th day of May, 1983.

H. B. 458

CHAPTER 298

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW.

The General Assembly of North Carolina enacts:

Section 1. Section 7 of Article III of the North Carolina Constitution is amended by adding a new paragraph (7) to read as follows:

“(7) Special Qualifications for Attorney General. Only persons duly authorized to practice law in the courts of this State shall be eligible for appointment or election as Attorney General.”

Sec. 2. Section 18 of Article IV of the North Carolina Constitution is amended by adding between the first and the second sentences of paragraph (1) of that section a new sentence to read as follows:

“Only persons duly authorized to practice law in the courts of this State shall be eligible for election or appointment as a District Attorney.”

Sec. 3. The amendments set out in Sections 1 and 2 of this act shall be submitted to the qualified voters of the State at the general election to be held in November 1984. That election shall be held and conducted under the laws then governing general elections in this State.

Sec. 4. At the general election, each qualified voter presenting himself to vote shall be provided a ballot on which shall be printed the following:

- FOR constitutional amendment requiring Attorney General and District Attorneys to be duly authorized to practice law prior to election or appointment.
- AGAINST constitutional amendment requiring Attorney General and District Attorneys to be duly authorized to practice law prior to election or appointment."

Sec. 5. If a majority of the votes cast are in favor of the amendments set out in Sections 1 and 2 of this act, then the amendments shall be certified by the State Board of Elections to the Secretary of State, who shall enroll the amendments among the permanent records of his office, and the amendments shall become effective on January 1, 1985.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of May, 1983.

S. B. 348

CHAPTER 299

AN ACT TO ALLOW STOKES AND SURRY COUNTIES TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 1319, Session Laws of 1979, as rewritten by Chapter 98, Session Laws of 1983, is amended by adding immediately after "Avery" the words "Stokes, Surry".

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of May, 1983.

H. B. 617

CHAPTER 300

AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-51.1. *Alarm systems.*—(a) Every person, firm, or corporation engaged in an alarm system business licensed under Chapter 74C of the General Statutes shall apply for and obtain from the Secretary of Revenue a State license and shall pay a tax of twenty-five dollars (\$25.00) for the privilege of engaging in this business.

(b) Counties, cities, and towns may not levy a license tax on the business taxed under this section."

Sec. 2. G.S. 105-51 is amended by designating the current language as subsection (a) and adding a new subsection to read:

"(b) The tax imposed by this section does not apply to persons who are engaged in the business of selling, delivering, or renting burglar alarms and other warning devices and are licensed under G.S. 105-51.1."