

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 61
House Committee Substitute Favorable 7/11/19
PROPOSED HOUSE COMMITTEE SUBSTITUTE S61-PCS35350-MKa-1

Short Title: Community Colleges Budget/2019-2021 Biennium.

(Public)

Sponsors:

Referred to:

February 14, 2019

1 A BILL TO BE ENTITLED
2 AN ACT, CONSISTENT WITH HOUSE BILL 966 OF THE 2019 REGULAR SESSION, TO
3 ENACT A BUDGET FOR THE NORTH CAROLINA COMMUNITY COLLEGE
4 SYSTEM; TO MAKE ADDITIONAL APPROPRIATIONS, TRANSFERS, AND
5 REDUCTIONS TO THE BUDGET OF THE COMMUNITY COLLEGE SYSTEM; AND
6 TO MAKE OTHER MODIFICATIONS RELATED TO THE OPERATIONS OF THE
7 COMMUNITY COLLEGE SYSTEM.

8 The General Assembly of North Carolina enacts:

9
10 **PART I. APPROPRIATIONS FOR THE COMMUNITY COLLEGE SYSTEM**

11
12 **INTRODUCTION**

13 **SECTION 1.1.** The appropriations made in this act and S.L. 2019-209 are for
14 maximum amounts necessary to provide the services and accomplish the purposes described in
15 the budget for the Community College System in accordance with the State Budget Act. Savings
16 shall be effected where the total amounts appropriated are not required to perform these services
17 and accomplish these purposes, and the savings shall revert to the appropriate fund at the end of
18 each fiscal year, except as otherwise provided by law.

19
20 **CURRENT OPERATIONS AND EXPANSION**

21 **SECTION 1.2.** In addition to the appropriations set forth in S.L. 2019-209 for the
22 Community College System, appropriations from the General Fund for the budget of the
23 Community College System are made for the fiscal biennium ending June 30, 2021, as follows:

24			
25	Current Operations – General Fund	FY 2019-2020	FY 2020-2021
26			
27	Community College System		
28	Requirements	\$1,577,080,779	\$1,574,065,397
29	Less: Receipts	380,447,392	380,212,392
30	Net Appropriation	1,196,633,387	1,193,853,005

31
32 **COMMUNITY COLLEGE SYSTEM BUDGET APPROPRIATIONS**

33 **SECTION 1.3.(a)** State funds, as defined in G.S. 143C-1-1(d)(25), are appropriated
34 for each fiscal year of the 2019-2021 fiscal biennium, as follows:



* S 6 1 - P C S 3 5 3 5 0 - M K A - 1 *

- 1 (1) All budget codes listed in the Governor's Recommended Budget and in the
2 Budget Support Document for the Community College System for the
3 2019-2021 fiscal biennium submitted pursuant to G.S. 143C-3-5 are
4 appropriated up to the amounts specified, as adjusted by the General
5 Assembly in this act.
- 6 (2) Departmental receipts up to the amounts needed to implement the legislatively
7 mandated salary increases and employee benefit increases provided in this act
8 for each fiscal year of the 2019-2021 fiscal biennium.

9 **SECTION 1.3.(b)** Receipts collected in a fiscal year in excess of the amounts
10 appropriated by this section shall remain unexpended and unencumbered until appropriated by
11 the General Assembly, unless the expenditure of overrealized receipts in the fiscal year in which
12 the receipts were collected is authorized by G.S. 143C-6-4. Overrealized receipts are
13 appropriated in the amounts necessary to implement this subsection.

14 **SECTION 1.3.(c)** Funds may be expended only for the specified programs,
15 purposes, objects, and line items or as otherwise authorized by the General Assembly.
16

17 **OTHER RECEIPTS FROM PENDING AWARD GRANTS**

18 **SECTION 1.4.(a)** Notwithstanding G.S. 143C-6-4, the Community Colleges System
19 Office may, with approval of the Director of the Budget, spend funds received from grants
20 awarded subsequent to the enactment of this act for grant awards that are for less than two million
21 five hundred thousand dollars (\$2,500,000), do not require State matching funds, and will not be
22 used for a capital project. The Community Colleges System Office shall report to the Joint
23 Legislative Commission on Governmental Operations within 30 days of receipt of such funds.

24 The Community Colleges System Office may spend all other funds from grants
25 awarded after the enactment of this act only with approval of the Director of the Budget and after
26 consultation with the Joint Legislative Commission on Governmental Operations.

27 **SECTION 1.4.(b)** The Office of State Budget and Management shall work with the
28 Community Colleges System Office to budget grant awards according to the annual program
29 needs and within the parameters of the respective granting entities. Depending on the nature of
30 the award, additional State personnel may be employed on a time-limited basis. Funds received
31 from such grants are hereby appropriated and shall be incorporated into the authorized budget of
32 the Community College System.

33 **SECTION 1.4.(c)** Notwithstanding the provisions of this section, the Community
34 Colleges System Office may not accept a grant not anticipated in this act if acceptance of the
35 grant would obligate the State to make future expenditures relating to the program receiving the
36 grant or would otherwise result in a financial obligation as a consequence of accepting the grant
37 funds.
38

39 **ESTABLISHING OR INCREASING FEES**

40 **SECTION 1.5.** Notwithstanding G.S. 12-3.1, for the 2019-2021 fiscal biennium, the
41 State Board of Community Colleges is not required to consult with the Joint Legislative
42 Commission on Governmental Operations prior to establishing or increasing a fee to the level
43 authorized or anticipated in this act.
44

45 **DIRECTED GRANTS**

46 **SECTION 1.6.(a)** Directed Grants; Definitions. – For purposes of this act, the
47 following definitions apply:

- 48 (1) Directed grant. – Nonrecurring funds allocated by a State agency to a
49 non-State entity as directed by an act of the General Assembly.
- 50 (2) Non-State entity. – As defined in G.S. 143C-1-1.

1 **SECTION 1.6.(b)** Directed Grants; Requirements. – Nonrecurring funds
2 appropriated in this act as directed grants are subject to all of the following requirements:

- 3 (1) Directed grants are subject to the provisions of subsections (b) through (k) of
4 G.S. 143C-6-23.
- 5 (2) Directed grants of one hundred thousand dollars (\$100,000) or less may be
6 made in a single annual payment in the discretion of the Director of the
7 Budget. Directed grants of more than one hundred thousand dollars
8 (\$100,000) shall be made in quarterly or monthly payments in the discretion
9 of the Director of the Budget. The Community Colleges System Office shall
10 administer a directed grant to begin disbursement of funds to a non-State
11 entity that meets all applicable requirements as soon as practicable, but no
12 later than 100 days after the date this act becomes law.
- 13 (3) Beginning on the first day of a quarter following the deadline provided in
14 subdivision (2) of this subsection and quarterly thereafter, the Community
15 Colleges System Office shall report to the Fiscal Research Division on the
16 status of funds disbursed for each directed grant until all funds are fully
17 disbursed. At a minimum, the report required under this subdivision shall
18 include updates on (i) the date of the initial contract, (ii) the date the contract
19 was sent to the entity receiving the funds, (iii) the date the Community
20 Colleges System Office received the fully executed contract back from the
21 entity, (iv) the contract execution date, and (v) the payment date.
- 22 (4) Notwithstanding any provision of G.S. 143C-1-2(b) to the contrary,
23 nonrecurring funds appropriated in this act as directed grants shall not revert
24 until June 30, 2021.
- 25 (5) Directed grants are for nonsectarian, nonreligious purposes only.

26 **SECTION 1.6.(c)** Directed Grants; Sunset. – This section expires on June 30, 2021.

27 28 **PART II. ADJUSTMENTS TO GENERAL FUND APPROPRIATIONS**

29 30 **USE OF GENERAL FUND APPROPRIATIONS FOR THE COMMUNITY COLLEGE** 31 **SYSTEM**

32 **SECTION 2.1.** Of the funds appropriated in this act to the Community Colleges
33 System Office from the General Fund, the sum of thirty-two million six hundred ninety-three
34 thousand nine hundred sixty-four dollars (\$32,693,964) for the 2019-2020 fiscal year and the
35 sum of twenty-nine million nine hundred thirteen thousand five hundred eighty-two dollars
36 (\$29,913,582) for the 2020-2021 fiscal year shall be used as follows:

- 37 (1) Residency Determination Service – Two million two hundred eighty-five
38 thousand seven hundred fifty-seven dollars (\$2,285,757) in recurring funds
39 for each fiscal year of the 2019-2021 fiscal biennium for the statutorily
40 required utilization of the Residency Determination Service, a centralized
41 system for verification of residency status of postsecondary students in North
42 Carolina.
- 43 (2) Workforce Development Focused IT and ERP (Fund Code 1200) – Ten
44 million five hundred fifteen thousand dollars (\$10,515,000) in nonrecurring
45 funds for the 2019-2020 fiscal year and eight million five hundred thousand
46 dollars (\$8,500,000) in nonrecurring funds for the 2020-2021 fiscal year to
47 implement system-wide Enterprise Resource Planning (ERP) solutions,
48 including online registration for workforce development courses. These funds
49 shall be transferred to Budget Code 26802, Fund Code 2307, and are hereby
50 appropriated.

- 1 (3) North Carolina Independent Colleges and Universities (NCICU) Campus
2 Police Training (Fund Code 1620) – Total tuition receipts shall be reduced by
3 one hundred ten thousand dollars (\$110,000) in recurring funds for the
4 2020-2021 fiscal year, and one hundred ten thousand dollars (\$110,000) in
5 recurring funds for the 2020-2021 fiscal year shall be provided for a tuition
6 waiver granted to campus police officers from private colleges and
7 universities in accordance with Section 3.2 of this act. Total requirements for
8 this purpose shall remain the same.
- 9 (4) Short-Term Workforce Training Parity (Fund Code 1622) – Twelve million
10 fifty-one thousand four hundred seventy-seven dollars (\$12,051,477) in
11 recurring funds for each fiscal year of the 2019-2021 fiscal biennium for
12 short-term continuing education and workforce development courses leading
13 to industry credentials. These funds shall be used to reduce the full-time
14 equivalent (FTE) enrollment determination disparity between short-term
15 workforce training and curriculum programs.
- 16 (5) Career Coaches (Fund Code 1624) – One million seven hundred thirty-three
17 thousand four hundred thirteen dollars (\$1,733,413) in recurring funds for the
18 2019-2020 fiscal year and two million three hundred thousand dollars
19 (\$2,300,000) in recurring funds for the 2020-2021 fiscal year for the Career
20 Coaches program, which places career coaches employed by local community
21 colleges with partnering high schools.
- 22 (6) North Carolina Military Business Center (Fund Code 1624) – Nine hundred
23 thousand dollars (\$900,000) in recurring funds for each fiscal year of the
24 2019-2021 fiscal biennium for the North Carolina Military Business Center at
25 Fayetteville Technical Community College.
- 26 (7) South Piedmont Community College Training Center (Fund Code 1624) –
27 One million five hundred thousand dollars (\$1,500,000) in nonrecurring funds
28 for the 2020-2021 fiscal year as a directed grant for an Aseptic Training Center
29 at South Piedmont Community College.
- 30 (8) Piedmont Community College (Fund Code 1624) – One million one hundred
31 seventy thousand dollars (\$1,170,000) in nonrecurring funds for the
32 2019-2020 fiscal year to provide a matching grant in accordance with Section
33 3.6 of this act for an Educational and Agricultural Development Center at
34 Piedmont Community College.
- 35 (9) Veterinary Equipment (Fund Code 1624) – Six hundred thirty-one thousand
36 nine hundred sixty-nine dollars (\$631,969) in nonrecurring funds for the
37 2019-2020 fiscal year as a directed grant to Gaston College to equip the
38 Veterinary Medical Technology building.
- 39 (10) Anspach Advanced Manufacturing School (Fund Code 1624) – Five hundred
40 fifteen thousand dollars (\$515,000) in nonrecurring funds for the 2019-2020
41 fiscal year for the Anspach Advanced Manufacturing School at the Yancey
42 County campus of Mayland Community College for the purchase of
43 equipment and nonrecurring operational expenses.
- 44 (11) Randolph Community College (Fund Code 1624) – Two hundred fifty
45 thousand dollars (\$250,000) in nonrecurring funds for the 2019-2020 fiscal
46 year as a directed grant for the purchase of equipment for Randolph
47 Community College.
- 48 (12) Wayne Community College (Fund Code 1624) – One hundred thousand
49 dollars (\$100,000) in nonrecurring funds for the 2019-2020 fiscal year as a
50 directed grant for repairs, renovations, and capital needs at Wayne
51 Community College.

- 1 (13) Cape Fear Botanical Gardens (Fund Code 1624) – One hundred thousand
2 dollars (\$100,000) in nonrecurring funds for the 2019-2020 fiscal year as a
3 directed grant to Fayetteville Technical Community College to support the
4 Cape Fear Botanical Gardens.
- 5 (14) Truck Driver Training Program (Fund Code 1624) – Seventy-five thousand
6 dollars (\$75,000) in nonrecurring funds for the 2019-2020 fiscal year as a
7 directed grant to Johnston Community College for a truck driver training
8 program.
- 9 (15) McDowell Technical Community College (Fund Code 1624) – Seventy-five
10 thousand dollars (\$75,000) in nonrecurring funds for the 2019-2020 fiscal year
11 as a directed grant for a pediatric patient simulator for the nursing program at
12 McDowell Technical Community College and twenty-five thousand dollars
13 (\$25,000) in nonrecurring funds for the 2019-2020 fiscal year as a directed
14 grant for a Wi-Fi connectivity project at McDowell Technical Community
15 College.
- 16 (16) Workforce-Focused Multicampus Centers (Fund Code 1625) – Two million
17 two hundred sixty-six thousand four hundred forty-eight dollars (\$2,266,448)
18 in recurring funds for each fiscal year of the 2019-2021 fiscal biennium to
19 support four approved multicampus sites as follows: Forsyth Tech
20 Transportation Campus, RTP Campus of Wake Technical Community
21 College, the Scotland County Campus of Richmond Community College, and
22 the Aviation Campus of Guilford Technical Community College.

23 24 **GENERAL FUND REDUCTION**

25 **SECTION 2.2.** For each fiscal year of the 2019-2021 fiscal biennium, the total
26 requirements for the Community College System shall be reduced by the sum of seventeen
27 million three hundred sixty-one thousand one hundred ninety-two dollars (\$17,361,192), and the
28 receipts for the Community College System shall be reduced by the sum of twelve million eight
29 hundred eighty-four thousand two hundred sixteen dollars (\$12,884,216) for enrollment changes
30 and formula adjustments based on the decrease in community college enrollment.

31 32 **CONTINGENT GENERAL FUND AGENCY TRANSFER**

33 **SECTION 2.3.** If House Bill 966, 2019 Regular Session, becomes law, or if
34 substantially similar legislation that appropriates the sum of one hundred twenty-five thousand
35 dollars (\$125,000) in nonrecurring funds from the General Fund to the Department of
36 Environmental Quality for the 2019-2020 fiscal year for the Carteret Community College
37 Aquaculture Program becomes law, the Department of Environmental Quality shall transfer the
38 sum of one hundred twenty-five thousand dollars (\$125,000) in nonrecurring funds to the
39 Community Colleges System Office for the 2019-2020 fiscal year for the Shellfish Aquaculture
40 Demonstration Center, a collaboration between NC Sea Grant and Carteret Community College.
41 The funds shall be used to complete construction of a shelter to cover an outdoor area with
42 nursery tanks and a workspace that shall be used for building aquaculture gear, sorting,
43 processing, and handling product.

44 45 **PART III. MODIFICATIONS TO THE COMMUNITY COLLEGES SYSTEM**

46 47 **CODIFY REORGANIZATION AUTHORITY OF COMMUNITY COLLEGES SYSTEM** 48 **OFFICE**

49 **SECTION 3.1.** G.S. 115D-3 reads as rewritten:

50 **"§ 115D-3. Community Colleges System Office; ~~staff~~; reorganization authority.**

1 (a) The Community Colleges System Office shall be a principal administrative
2 department of State government under the direction of the State Board of Community Colleges,
3 and shall be separate from the free public school system of the State, the State Board of
4 Education, and the Department of Public Instruction. The State Board has authority to adopt and
5 administer all policies, regulations, and standards which it deems necessary for the operation of
6 the System Office.

7 The State Board shall elect a President of the North Carolina System of Community Colleges
8 who shall serve as chief administrative officer of the Community Colleges System Office. The
9 compensation of this position shall be fixed by the State Board from funds provided by the
10 General Assembly in the Current Operations Appropriations Act.

11 The President shall be assisted by such professional staff members as may be deemed
12 necessary to carry out the provisions of this Chapter, who shall be elected by the State Board on
13 nomination of the President. The compensation of the staff members elected by the Board shall
14 be fixed by the State Board of Community Colleges, upon recommendation of the President of
15 the Community College System, from funds provided in the Current Operations Appropriations
16 Act. These staff members shall include such officers as may be deemed desirable by the President
17 and State Board. Provision shall be made for persons of high competence and strong professional
18 experience in such areas as academic affairs, public service programs, business and financial
19 affairs, institutional studies and long-range planning, student affairs, research, legal affairs,
20 health affairs and institutional development, and for State and federal programs administered by
21 the State Board. In addition, the President shall be assisted by such other employees as may be
22 needed to carry out the provisions of this Chapter, who shall be subject to the provisions of
23 Chapter 126 of the General Statutes. The staff complement shall be established by the State Board
24 on recommendation of the President to insure that there are persons on the staff who have the
25 professional competence and experience to carry out the duties assigned and to insure that there
26 are persons on the staff who are familiar with the problems and capabilities of all of the principal
27 types of institutions represented in the system. The State Board of Community Colleges shall
28 have all other powers, duties, and responsibilities delegated to the State Board of Education
29 affecting the Community Colleges System Office not otherwise stated in this Chapter.

30 (b) Notwithstanding any other provision of law, the President may reorganize the System
31 Office in accordance with recommendations and plans submitted to and approved by the State
32 Board of Community Colleges. If a reorganization is implemented pursuant to this subsection,
33 including any movement of positions and funds between fund codes on a recurring basis, the
34 President shall report by June 30 of the fiscal year in which the reorganization occurred to the
35 Joint Legislative Education Oversight Committee and the Fiscal Research Division of the
36 General Assembly."

37 38 **COMMUNITY COLLEGE TUITION WAIVER/CAMPUS POLICE OF PRIVATE** 39 **INSTITUTIONS OF HIGHER EDUCATION**

40 **SECTION 3.2.(a)** G.S. 115D-5(b) reads as rewritten:

41 "(b) In order to make instruction as accessible as possible to all citizens, the teaching of
42 curricular courses and of noncurricular extension courses at convenient locations away from
43 institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata
44 portion of the established regular tuition rate charged a full-time student shall be charged a
45 part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of
46 Community Colleges shall establish a uniform registration fee, or a schedule of uniform
47 registration fees, to be charged students enrolling in extension courses for which instruction is
48 financed primarily from State funds. The State Board of Community Colleges may provide by
49 general and uniform regulations for waiver of tuition and registration fees for the following:

- 50 (1) Persons not enrolled in elementary or secondary schools taking courses
51 leading to a high school diploma or equivalent certificate.

- (2) Courses requested by the following entities that support the organizations' training needs and are on a specialized course list approved by the State Board of Community Colleges:
- a. Volunteer fire departments.
 - b. Municipal, county, or State fire departments.
 - c. Volunteer EMS or rescue and lifesaving departments.
 - d. Municipal, county, or State EMS or rescue and lifesaving departments.
 - d1. Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
 - e. Radio Emergency Associated Communications Teams (REACT) under contract to a county as an emergency response agency.
 - f. Municipal, county, or State law enforcement agencies.
 - f1. Campus police agencies of private institutions of higher education certified by the Attorney General pursuant to Chapter 74G of the General Statutes.
 - g. The Division of Adult Correction and Juvenile Justice of the Department of Public Safety for the training of full-time custodial employees and employees of the Division required to be certified under Article 1 of Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission.
 - h. Repealed by Session Laws 2017-186, s. 2(hhhh), effective December 1, 2017.
 - i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or rescue and lifesaving tribal government departments or programs.
 - j. The Criminal Justice Standards Division of the Department of Justice for the training of criminal justice professionals, as defined in G.S. 17C-20(6), who are required to be certified under (i) Article 1 of Chapter 17C of the General Statutes and the rules of the North Carolina Criminal Justice Education and Training Standards Commission or (ii) Chapter 17E of the General Statutes and the rules of the North Carolina Sheriffs' Education and Training Standards Commission. The waivers provided for in this sub-subdivision apply to participants and recent graduates of the North Carolina Criminal Justice Fellows Program to obtain certifications for eligible criminal justice professions as defined in G.S. 17C-20(6).

...."

SECTION 3.2.(b) This section applies beginning with the 2019-2020 academic year.

NC CAREER COACHES/LOCAL MATCHING FUNDS

SECTION 3.3. G.S. 115D-21.5(c) reads as rewritten:

"(c) Application for NC Career Coach Program Funding. – The board of trustees of a community college and a local board of education of a local school administrative unit within the service area of the community college jointly may apply for available funds for NC Career Coach Program funding from the State Board of Community Colleges. The State Board of Community Colleges shall establish a process for award of funds as follows:

- (1) Advisory committee. – Establishment of an advisory committee, which shall include representatives from the NC Community College System, the Department of Public Instruction, the Department of Commerce, and at least three representatives of the business community, to review applications and make recommendations for funding awards to the State Board.

- 1 (2) Application submission requirements. – The State Board of Community
- 2 Colleges shall require at least the following:
- 3 a. Evidence of a signed memorandum of understanding that meets, at a
- 4 minimum, the requirements of this section.
- 5 b. Evidence that the funding request will be matched ~~dollar for dollar~~
- 6 with local ~~funds-funds~~ in accordance with the following:
- 7 1. Matching funds may come from public or private sources.
- 8 2. The match amount shall be determined based on the
- 9 development tier designation of the county in which the local
- 10 school administrative unit is located where the career coach is
- 11 assigned on the date of the award of funds by the State Board
- 12 of Community Colleges according to the following:
- 13 I. If located in a tier one county as defined in
- 14 G.S. 143B-437.08, no local match shall be required.
- 15 II. If located in a tier two county as defined in
- 16 G.S. 143B-437.08, one dollar (\$1.00) of local funds for
- 17 every two dollars (\$2.00) in State funds shall be
- 18 required.
- 19 III. If located in a tier three county as defined in
- 20 G.S. 143B-437.08, one dollar (\$1.00) of local funds for
- 21 every one dollar (\$1.00) in State funds shall be
- 22 required.
- 23 (3) Awards criteria. – The State Board of Community Colleges shall develop
- 24 criteria for consideration in determining the award of funds that shall include
- 25 the following:
- 26 a. Consideration of the workforce needs of business and industry in the
- 27 region.
- 28 b. Targeting of resources to enhance ongoing economic activity within
- 29 the community college service area and surrounding counties.
- 30 c. Geographic diversity of awards."

ALLOW COMMUNITY COLLEGES TO EARN FTE FOR INSTRUCTION IN LOCAL JAILS

SECTION 3.4.(a) Section 8.3(b) of S.L. 2010-31 reads as rewritten:

"**SECTION 8.3.(b)** Courses in federal prisons ~~or local jails~~ shall not earn regular budget full-time equivalents, but may be offered on a self-supporting basis."

SECTION 3.4.(b) G.S. 115D-5 reads as rewritten:

"§ 115D-5. Administration of institutions by State Board of Community Colleges; personnel exempt from North Carolina Human Resources Act; extension courses; tuition waiver; in-plant training; contracting, etc., for establishment and operation of extension units of the community college system; use of existing public school facilities.

...

(c) No course of instruction shall be offered by any community college at State expense or partial State expense to any captive or co-opted group of students, as defined by the State Board of Community Colleges, without prior approval of the State Board of Community Colleges. All course offerings approved for State prison inmates or prisoners in local jails must be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of Community Colleges shall be presumed to constitute approval of both the course and the group served by that institution. The State Board of Community Colleges may delegate to the President the power to make an initial approval, with final approval to be made by the State Board of

1 Community Colleges. A course taught without such approval will not yield any full-time
2 equivalent students, as defined by the State Board of Community Colleges.

3 (c1) Community colleges shall report full-time equivalent (FTE) student hours for
4 correction education programs on the basis of ~~contact hours rather than~~ student membership
5 hours. No community college shall operate a multi-entry/multi-exit class or program in a prison
6 facility, except for a literacy class or program.

7 The State Board shall work with the Division of Adult Correction and Juvenile Justice of the
8 Department of Public Safety on offering classes and programs that match the average length of
9 stay of an inmate in a prison facility.

10"

11 **SECTION 3.4.(c)** Beginning with the 2019-2020 academic year, community college
12 courses offered in local jails shall earn regular budget full-time equivalents.

13 **WAIVE TUITION/DEPENDENTS OF FALLEN CORRECTIONAL OFFICERS**

14 **SECTION 3.5.(a)** G.S. 115B-1 reads as rewritten:

15 **"§ 115B-1. Definitions.**

16 The following definitions apply in this Chapter:

17 (1) Correctional officer. – An employee of an employer who is certified as a State
18 correctional officer under the provisions of Article 1 of Chapter 17C of the
19 General Statutes.

20 ~~(1)~~(1a) Employer. – The State of North Carolina and its departments, agencies, and
21 institutions; or a county, city, town, or other political subdivision of the State.

22 ...

23 (4) Permanently and totally disabled as a direct result of a traumatic injury
24 sustained in the line of duty. – A person: (i) who as a law enforcement officer,
25 correctional officer, firefighter, volunteer firefighter, or rescue squad worker
26 suffered a disabling injury while in active service or training for active service,
27 (ii) who at the time of active service or training was a North Carolina resident,
28 and (iii) who has been determined to be permanently and totally disabled for
29 compensation purposes by the North Carolina Industrial Commission.

30 ...

31 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or
32 spouse: (i) was a law enforcement officer, a correctional officer, a firefighter,
33 a volunteer firefighter, or a rescue squad worker, (ii) was killed while in active
34 service or training for active service or died as a result of a service-connected
35 disability, and (iii) at the time of active service or training was a North
36 Carolina resident. The term does not include the widow or widower of a law
37 enforcement officer, correctional officer, firefighter, volunteer firefighter, or
38 a rescue squad worker if the widow or widower has remarried.

39"

40 **SECTION 3.5.(b)** G.S. 115B-2(a) reads as rewritten:

41 "(a) The constituent institutions of The University of North Carolina and the community
42 colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for
43 credit or noncredit purposes without the required payment of tuition:

44 ...

45 (2) Any person who is the survivor of a law enforcement officer, correctional
46 officer, firefighter, volunteer firefighter, or rescue squad worker killed as a
47 direct result of a traumatic injury sustained in the line of duty.

48 (3) The spouse of a law enforcement officer, correctional officer, firefighter,
49 volunteer firefighter, or rescue squad worker who is permanently and totally
50 disabled as a direct result of a traumatic injury sustained in the line of duty.
51

1 (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose
2 parent, legal guardian, or legal custodian is a law enforcement officer,
3 correctional officer, firefighter, volunteer firefighter, or rescue squad worker
4 who is permanently and totally disabled as a direct result of a traumatic injury
5 sustained in the line of duty. However, a child's eligibility for a waiver of
6 tuition under this Chapter shall not exceed: (i) 54 months, if the child is
7 seeking a baccalaureate degree, or (ii) if the child is not seeking a
8 baccalaureate degree, the number of months required to complete the
9 educational program to which the child is applying.

10"

11 **SECTION 3.5.(c)** G.S. 115B-5(b)(3) reads as rewritten:

12 "(3) The cause of death of the law enforcement officer, correctional officer,
13 firefighter, volunteer firefighter, or rescue squad worker shall be verified by
14 certification from the records of the Department of State Treasurer, the
15 appropriate city or county law enforcement agency that employed the
16 deceased, the administrative agency for the fire department or fire protection
17 district recognized for funding under the Department of State Auditor, or the
18 administrative agency having jurisdiction over any paid firefighters of all
19 counties and cities."

20 **SECTION 3.5.(d)** This section applies beginning with the 2019-2020 academic year.

21
22 **PIEDMONT COMMUNITY COLLEGE CENTER FOR EDUCATIONAL AND**
23 **AGRICULTURAL DEVELOPMENT/MATCHING FUNDS**

24 **SECTION 3.6.** The funds appropriated to the Community Colleges System Office
25 by this act for the 2019-2020 fiscal year for the Center for Educational and Agricultural
26 Development at Piedmont Community College shall be matched by the Board of Trustees of
27 Piedmont Community College on the basis of two dollars (\$2.00) in allocated State funds for
28 every one dollar (\$1.00) in non-State funds. The Community Colleges System Office shall only
29 allocate the funds upon the Board of Trustees providing the required match of non-State funds
30 for the total amount of State funds. These matching funds shall not revert at the end of each fiscal
31 year to the General Fund, but shall remain available until June 30, 2023. If the Community
32 Colleges System Office has not allocated these funds to Piedmont Community College by the
33 end of the 2022-2023 fiscal year, the funds shall then revert to the General Fund.

34
35 **COMMUNITY COLLEGE ENROLLMENT GROWTH/PAMLICO CORRECTIONAL**
36 **INSTITUTION**

37 **SECTION 3.7.** When calculating the enrollment growth budget request for the
38 2020-2021 fiscal year, the Community Colleges System Office shall adjust the full-time
39 equivalent (FTE) enrollment to reflect the FTE lost due to the fire at Pamlico Correctional
40 Institution.

41
42 **COMMUNITY COLLEGE SYSTEM TRANSITION**

43 **SECTION 3.8.(a)** G.S. 143B-1325(d) reads as rewritten:

44 "(d) Report on Transition Planning. – The ~~Community College System Office~~, the
45 Department of Public ~~Instruction~~, Instruction and the Bipartisan State Board of Elections and
46 Ethics Enforcement shall work with the State CIO to plan their transition to the Department. The
47 information technology transfer and consolidation from the Department of Revenue to the
48 Department shall not take place until the Secretary of the Department of Revenue determines that
49 the system and data security of the Department meets the heightened security standards required
50 by the federal government for purposes of sharing taxpayer information. By October 1, 2018, the
51 Department of Public Instruction and the Bipartisan State Board of Elections and Ethics

1 Enforcement, in conjunction with the State CIO, shall report to the Joint Legislative Oversight
2 Committee on Information Technology and the Fiscal Research Division on their respective
3 transition plans. ~~By October 1, 2019, the Community College System Office, in conjunction with~~
4 ~~the State CIO, shall report to the Joint Legislative Oversight Committee on Information~~
5 ~~Technology and the Fiscal Research Division on its transition plan."~~

6 **SECTION 3.8.(b)** The Community Colleges System Office shall enter into a
7 memorandum of understanding with the Department of Information Technology with respect to
8 coordinating information technology systems and policies. By February 1, 2020, the Community
9 Colleges System Office, in conjunction with the State CIO, shall report to the Joint Legislative
10 Oversight Committee on Information Technology and the Fiscal Research Division on the
11 memorandum of understanding.
12

13 **PART IV. MODIFICATIONS FOR COMMUNITY COLLEGE STUDENT FINANCIAL** 14 **ASSISTANCE PROGRAMS**

15 **EDUCATION LOTTERY SCHOLARSHIP MODIFICATIONS**

16 **SECTION 4.1.(a)** G.S. 115C-499.2 reads as rewritten:

17 **"§ 115C-499.2. Eligibility requirements for a scholarship.**

18 In order to be eligible to receive a scholarship under this Article, a student seeking a degree,
19 diploma, or certificate at an eligible postsecondary institution must meet all of the following
20 requirements:
21

- 22 (1) Only needy North Carolina students are eligible to receive scholarships. For
23 purposes of this subsection, "needy North Carolina students" are those eligible
24 students whose expected family contribution under the federal methodology
25 does not exceed ~~five-six~~ thousand dollars ~~(\$5,000)-(\$6,000)~~.

26"

27 **SECTION 4.1.(b)** G.S. 115C-499.3(a) reads as rewritten:

28 "(a) Subject to the amount of net income available under G.S. 18C-164(b)(2), a
29 scholarship awarded under this Article to a student at an eligible postsecondary institution shall
30 be based upon the enrollment status and expected family contribution of the student and shall not
31 exceed ~~four-five~~ thousand one hundred dollars ~~(\$4,000)-(\$5,100)~~ per academic year, including
32 any federal Pell Grant, to be used for the costs of attendance as defined for federal Title IV
33 programs."

34 **SECTION 4.1.(c)** This section applies beginning with the award of scholarships for
35 the 2020-2021 academic year.
36

37 **PART V. MISCELLANEOUS**

38 **STATE BUDGET ACT APPLIES**

39 **SECTION 5.1.(a)** The provisions of the State Budget Act, Chapter 143C of the
40 General Statutes, are reenacted and shall remain in full force and effect and are incorporated in
41 this act by reference.
42

43 **SECTION 5.1.(b)** The budget enacted by the General Assembly is for the
44 maintenance of the Community College System for the 2019-2021 biennial budget as provided
45 in G.S. 143C-3-5. This budget includes the appropriations of State funds as defined in
46 G.S. 143C-1-1(d)(25).

47 The Director of the Budget submitted a recommended budget to the General
48 Assembly in the Governor's Recommended Budget and in the Budget Support Document for the
49 Community College System for the 2019-2021 fiscal biennium, dated March 2019. The
50 adjustments to the recommended budget for the Community College System made by the General
51 Assembly are set out in this act.

1 **SECTION 5.1.(c)** The budget enacted by the General Assembly for the Community
2 College System shall also be interpreted in accordance with the provisions of this act and other
3 appropriate legislation. In the event that there is a conflict between the line-item budget certified
4 by the Director of the Budget for the Community College System and the budget enacted by the
5 General Assembly for the Community College System, the budget enacted by the General
6 Assembly for the Community College System shall prevail.
7

8 **APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

9 **SECTION 5.2.(a)** If House Bill 966, 2019 Regular Session, becomes law, then
10 Sections 6.1, 6.2, 6.3, 6.4, 6.5, 6.9, 8A.5, 18.17C, and 37.3 of that act are repealed.

11 **SECTION 5.2.(b)** Except where expressly repealed or amended, S.L. 2019-209, S.L.
12 2019-224, and any other enactments affecting the State budget during the 2019 Regular Session
13 of the General Assembly shall remain in effect.
14

15 **MOST TEXT APPLIES ONLY TO THE 2019-2021 FISCAL BIENNIUM**

16 **SECTION 5.3.** Except for statutory changes or other provisions that clearly indicate
17 an intention to have effects beyond the 2019-2021 fiscal biennium, the textual provisions of this
18 act apply only to funds appropriated for, and activities occurring during, the 2019-2021 fiscal
19 biennium.
20

21 **EFFECT OF HEADINGS**

22 **SECTION 5.4.** The headings to the Parts, subparts, and sections of this act are a
23 convenience to the reader and are for reference only. The headings do not expand, limit, or define
24 the text of this act, except for effective dates referring to a Part or subpart.
25

26 **SEVERABILITY CLAUSE**

27 **SECTION 5.5.** If any section or provision of this act is declared unconstitutional or
28 invalid by the courts, it does not affect the validity of this act as a whole or any part other than
29 the part so declared to be unconstitutional or invalid.
30

31 **PART VI. EFFECTIVE DATE**

32 **SECTION 6.1.** Except as otherwise provided, this act becomes effective July 1,
33 2019.