

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS35397-MLa-148A

Short Title: Law Enforcement & Teacher Protection Act. (Public)

Sponsors: Senators Brown, Harrington, and B. Jackson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE LAW ENFORCEMENT & TEACHER PROTECTION ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Definition. – For purposes of this act, the term "federal funds" means (i) federal funds paid to the State from the Coronavirus Relief Fund created under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136, and (ii) any other flexible federal funds paid to the State for the purpose of COVID-19 response and relief where the State decides how to spend and allocate the funds. This term does not include federal funds with specific programmatic purposes for which expenditures are limited to certain entities or programs.

SECTION 2. Establishment of Reserve. – The State Controller shall establish the Law Enforcement & Teacher Protection Reserve (Reserve) in the General Fund to maintain federal funds paid to the State to mitigate the impact of the COVID-19 outbreak in North Carolina. To the extent allowable under applicable federal law, the funds in the Reserve established in this section shall only be used for (i) public health and testing, (ii) addressing shortfalls in State government operations, (iii) addressing shortfalls in education funding, (iv) addressing shortfalls in public safety funding, and (v) providing relief to taxpayers impacted by the COVID-19 outbreak. Funds reserved in the reserves do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

SECTION 3. Transfer of Funds to Reserve. – The State Controller shall transfer the remaining balance in the Coronavirus Relief Reserve established in Section 2.1 of S.L. 2020-4 to the Reserve established in Section 2 of this act. Upon completing the transfer, the State Controller shall close the Coronavirus Relief Reserve.

SECTION 4. Reversions. – Notwithstanding any provision of S.L. 2020-4 to the contrary, any funds that revert or are otherwise required to be returned to the Coronavirus Relief Reserve under S.L. 2020-4 shall instead, upon reversion or return, be deposited in the Reserve established in Section 2 of this act.

SECTION 5. Effect of S.L. 2020-4. – Except as otherwise specifically provided in this act, the requirements set forth in S.L. 2020-4 remain in effect.

SECTION 6. Appropriation to Cover Costs of Implementation. – There is appropriated from the General Fund to the Office of the State Controller the sum of five thousand dollars (\$5,000) in nonrecurring funds for the 2019-2020 fiscal year to be used to cover costs incurred from implementing the provisions of this act.

SECTION 7. Effective Date. – This act is effective when it becomes law.

