

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 1105  
Committee Substitute Favorable 6/17/20  
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PROPOSED SENATE COMMITTEE SUBSTITUTE H1105-PCS40704-MLfa-32

Short Title: Coronavirus Relief Act 3.0.

(Public)

Sponsors:

Referred to:

May 14, 2020

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ADDITIONAL AND REVISED USES FOR FEDERAL  
CORONAVIRUS RELIEF FUNDS, TO PROVIDE FUNDING FOR DISASTER  
RECOVERY, AND TO MAKE OTHER REVISIONS OF LAW.

The General Assembly of North Carolina enacts:

**PART I. TRANSFER, APPROPRIATION, AND USE OF REMAINING CORONAVIRUS  
RELIEF FUNDS**

**TRANSFER AND APPROPRIATION OF CORONAVIRUS RELIEF FUNDS**

**SECTION 1.1.(a)** Section 3.1 of S.L. 2020-4, as amended by Section 1 of S.L.  
2020-32 and Section 1.1(b) of S.L. 2020-80, reads as rewritten:

**"SECTION 3.1.** Transfer of Funds from Reserves to Relief Fund. – The State Controller  
shall transfer the sum of ~~one two billion seven three hundred ninety five sixty three million nine~~  
~~three hundred eighty eight ninety thousand twenty nine six hundred forty six~~ dollars  
(~~\$1,795,988,029~~) (~~\$2,363,390,646~~) for the 2019-2020 fiscal year from the Reserve established  
in Section 2.1 of this act, and the sum of three hundred million dollars (\$300,000,000) for the  
2019-2020 fiscal year from the Local Government Coronavirus Relief Reserve established in  
Section 2.3 of this act, to the Fund established in Section 2.2 of this act. All interest earned on  
funds held in the Reserve shall be transferred to the Coronavirus Relief Fund."

**SECTION 1.1.(b)** Section 3.2 of S.L. 2020-4, as amended by Section 2 of S.L.  
2020-32 and Section 1.1(c) of S.L. 2020-80, reads as rewritten:

**"SECTION 3.2.** Appropriation of Funds from Relief Fund to OSBM. – There is appropriated  
from the Fund to OSBM the sum of two billion ~~ninety five six hundred sixty three million nine~~  
~~three hundred eighty eight ninety thousand twenty nine six hundred forty six~~ dollars  
(~~\$2,095,988,029~~) (~~\$2,663,390,646~~) in nonrecurring funds for the 2019-2020 fiscal year to be  
allocated and used as provided in Section 3.3 of this act. The funds appropriated in this section  
shall not revert at the end of the 2019-2020 fiscal year ~~but year~~. Notwithstanding any provision  
of law to the contrary in this act or any other act appropriating funds from the Fund, funds  
appropriated from the Fund shall (i) remain available to expend until December 30, 2020, the  
deadline established by applicable federal law or guidance and (ii) be returned in accordance with  
that applicable federal law or guidance if unexpended by that deadline."

**SECTION 1.1.(c)** Section 2.3 of S.L. 2020-4, as amended by Section 1.1(a) of S.L.  
2020-80, reads as rewritten:



\* H 1 1 0 5 - P C S 4 0 7 0 4 - M L F A - 3 2 \*

1 "SECTION 2.3. The State Controller shall establish a Local Government Coronavirus Relief  
2 Reserve (Local Reserve) in the General Fund to maintain certain federal funds transferred from  
3 the Reserve established in Section 2.1 of this act that are eligible to mitigate the impact of the  
4 COVID-19 outbreak in North Carolina on the revenue of local governments. The State Controller  
5 shall transfer the sum of three hundred million dollars (\$300,000,000) from the Reserve to the  
6 Local Reserve. Funds that are reserved in the Local Reserve do not constitute an "appropriation  
7 made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina  
8 Constitution. All interest earned on funds held in the Local Reserve shall be transferred to the  
9 Coronavirus Relief Fund."

#### 10 11 USE OF CORONAVIRUS RELIEF FUNDS

12 SECTION 1.2. Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,  
13 Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and  
14 Section 4.9(a) of S.L. 2020-91, reads as rewritten:

15 "SECTION 3.3. Allocations of Funds. – OSBM shall allocate the funds appropriated in  
16 Section 3.2 of this act as follows:

17 ...

- 18 (3) ~~\$370,000,000~~ \$237,500,000 to OSBM to be used for the continuity of  
19 operation needs across State government. As referenced in Section 2.2 of this  
20 act, expenditures incurred during the period that begins on March 1, 2020, and  
21 ends on December 30, 2020, are eligible for funding under this subdivision.  
22 Expenditures eligible under this subdivision may include, but are not limited  
23 to, covering overtime costs at mental health institutions, prisons, community  
24 corrections, juvenile facilities, and veterans homes; covering costs of pay  
25 provided to employees of the Division of Adult Correction and Juvenile  
26 Justice at the Department of Public Safety in accordance with The  
27 Communicable Disease Emergency Policy established by the Office of State  
28 Human Resources; covering costs of in-home monitoring for all nonviolent  
29 juvenile offenders and nonviolent, elderly, health-compromised, and  
30 near-release adult offenders; covering costs of personal protective equipment,  
31 COVID-19 testing, and hygienic supplies for the Division of Adult Correction  
32 and Juvenile Justice at the Department of Public Safety; rent and utility  
33 assistance; purchasing critical information technology equipment and  
34 software licenses; enhancing telepresence services in public safety facilities  
35 and the court system; and purchasing emergency sanitation and hygienic  
36 supplies. Provided that the United States Department of Labor does not  
37 approve additional funding for the Customer Call Center operated by the  
38 Division of Employment Security, funds may also be used to hire additional  
39 time-limited staff in the Customer Call Center to meet the unprecedented  
40 demand for services. Up to two million dollars (\$2,000,000) of the funds  
41 allocated in this subdivision may be used to establish a temporary North  
42 Carolina Pandemic Recovery Office in accordance with Section 4.3 of this  
43 act. Up to five hundred thousand dollars (\$500,000) of the funds allocated in  
44 this subdivision may be further allocated to the Office of the State Auditor to  
45 perform the requirements set forth in Section 1.8 of this act. OSBM shall  
46 provide a report to the Joint Legislative Commission on Governmental  
47 Operations no later than August 15, 2020, detailing the allocation of funds  
48 under this subdivision. The report shall include which State agencies received  
49 allocations, the amounts disbursed, the amount spent in the 2019-2020 fiscal  
50 year, and for what purposes the funds were used by fund code and line-item  
51 detail.

- 1           (4)     ~~\$300,000,000 to OSBM to allocate to the General Maintenance Reserve in the~~  
2           ~~Highway Fund for the Department of Transportation; provided that OSBM~~  
3           ~~shall not transfer these allocated funds to the Department for use until the~~  
4           ~~guidelines in "Coronavirus Relief Fund Guidance for State, Territorial, Local,~~  
5           ~~and Tribal Governments," dated April 22, 2020, are revised by the United~~  
6           ~~States Department of the Treasury to authorize the use of funds from the~~  
7           ~~Coronavirus Relief Fund for the purpose of replacing lost revenue due to the~~  
8           ~~COVID-19 emergency, or a subsequent act of Congress authorizes the use of~~  
9           ~~funds from the Coronavirus Relief Fund for the purpose of replacing lost~~  
10          ~~revenue due to the COVID-19 emergency. 30 days prior to the transfer of~~  
11          ~~funds pursuant to this subsection, OSBM shall submit a report to the Joint~~  
12          ~~Legislative Commission on Governmental Operations. On or before April 1,~~  
13          ~~2021, the Department shall submit a report on the status of utilizing these~~  
14          ~~funds and a revenue update to the Joint Legislative Transportation Oversight~~  
15          ~~Committee (JLTOC) and the Fiscal Research Division. The Governor may not~~  
16          ~~use the funds described in this subdivision to make budget adjustments under~~  
17          ~~G.S. 143C-6-4 or to make reallocations under G.S. 166A-19.40(c).~~  
18          ~~Notwithstanding Section 3.2 of this act, if, by September 1, 2020, the~~  
19          ~~guidelines in "Coronavirus Relief Fund Guidance for State, Territorial, Local,~~  
20          ~~and Tribal Governments," dated April 22, 2020, are not revised by the United~~  
21          ~~States Department of the Treasury to authorize the use of funds from the~~  
22          ~~Coronavirus Relief Fund for the purpose of replacing lost revenue due to the~~  
23          ~~COVID-19 emergency, or a subsequent act of Congress does not authorize the~~  
24          ~~use of funds from the Coronavirus Relief Fund for the purpose of replacing~~  
25          ~~lost revenue due to the COVID-19 emergency, the State Controller shall~~  
26          ~~transfer the funds described in this subdivision to the Reserve and the funds~~  
27          ~~shall remain unspent until appropriated by an act of the General Assembly.~~  
28          (4a)     ~~\$20,000,000 to OSBM, for allocation to State agencies negatively impacted~~  
29          ~~by the loss of anticipated receipts. OSBM shall not transfer the allocated funds~~  
30          ~~to the State agencies for use until the guidelines in "Coronavirus Relief Fund~~  
31          ~~Guidance for State, Territorial, Local, and Tribal Governments" dated April~~  
32          ~~22, 2020, are revised by the United States Department of the Treasury or a~~  
33          ~~subsequent act of Congress authorizes the use of funds from the Coronavirus~~  
34          ~~Relief Fund for the purpose of replacing lost revenue due to the COVID-19~~  
35          ~~emergency. Prior to the transfer of funds pursuant to this subsection, OSBM~~  
36          ~~shall submit a report to the Joint Legislative Commission on Governmental~~  
37          ~~Operations.~~  
38          ...  
39          (8)     ~~\$11,000,000~~\$21,000,000 to the Department of Public Instruction to improve  
40          ~~Internet connectivity for students, in response to COVID-19, by providing~~  
41          ~~community and home mobile Internet access points. These funds shall be used~~  
42          ~~only for the purchase of devices and not for subscription services.~~  
43          ...  
44          (21)     ~~\$20,000,000~~\$25,000,000 to the Board of Governors of The University of  
45          ~~North Carolina to be allocated to the State Education Assistance Authority~~  
46          ~~(Authority) for the Authority to provide funds to each eligible private~~  
47          ~~postsecondary institution, as defined in G.S. 116-280(3), by apportioning an~~  
48          ~~amount equal to the following:~~  
49               a.     Seventy-five percent (75%) of the institution's relative share of  
50                     full-time equivalent students who were enrolled as of March 13, 2020,  
51                     who received scholarships pursuant to Article 34 of Chapter 116 of the

- 1 General Statutes for the spring semester of the 2019-2020 academic  
 2 year.
- 3 b. Twenty-five percent (25%) of the institution's relative share of  
 4 full-time equivalent students who were enrolled as of March 13, 2020,  
 5 who had not received scholarships pursuant to Article 34 of Chapter  
 6 116 of the General Statutes for the spring semester of the 2019-2020  
 7 academic year.
- 8 These funds shall be used to transition to online education for students and to  
 9 provide funds for students and families impacted by COVID-19.
- 10 (22) ~~\$15,000,000~~ \$17,000,000 to OSBM to allocate to the Duke University Human  
 11 Vaccine Institute (DHVI) of the Duke University School of Medicine to  
 12 develop (i) a safe and effective COVID-19 vaccine that will be available to  
 13 the public as soon as possible and (ii) rapid, low-cost COVID-19  
 14 testing for active infections.
- 15 ...
- 16 (28) ~~\$6,000,000~~ \$12,000,000 to the Department of Health and Human Services to  
 17 allocate equally among each of the six food banks in this State. The food banks  
 18 are encouraged to use the funds allocated in this subdivision to purchase food  
 19 from North Carolina-based farmers and vendors.
- 20 ...
- 21 (30a) \$20,000,000 to the Department of Health and Human Services, Division of  
 22 Social Services (DSS), for facilities licensed to accept State-County Special  
 23 Assistance. These funds shall be used to provide temporary financial  
 24 assistance in the form of a monthly payment to these facilities to offset the  
 25 increased costs of serving residents who are recipients of State-County Special  
 26 Assistance during the COVID-19 emergency. For the period commencing  
 27 August 1, 2020, and ending December 30, 2020, the amount of the monthly  
 28 payment authorized by this subdivision shall be equal to two hundred fifty  
 29 dollars (\$250.00) per month for each resident of the facility as of the first day  
 30 of the month who is a recipient of State-County Special Assistance. The DSS  
 31 shall terminate all monthly payments pursuant to this subdivision on the  
 32 earlier of December 30, 2020, or when the funds allocated under this  
 33 subdivision are depleted. Nothing in this subdivision shall be construed as an  
 34 obligation by the General Assembly to appropriate funds for the purpose of  
 35 this subdivision or as an entitlement by any facility, resident of a facility, or  
 36 other person to receive financial assistance under this subdivision. The  
 37 following definitions apply in this subdivision:
- 38 a. Facility licensed to accept State-County Special Assistance payments.  
 39 – Any residential care facility that is (i) licensed by the Department of  
 40 Health and Human Services and (ii) authorized to accept State-County  
 41 Special Assistance payments from its residents.
- 42 b. State-County Special Assistance. – The program authorized by  
 43 G.S. 108A-40.
- 44 ...
- 45 (32) ~~\$7,425,000~~ \$12,425,000 to OSBM to allocate to ~~the~~ North Carolina  
 46 Association of Free and Charitable Clinics (NCAFCC), a nonprofit  
 47 organization, to be used for distribution to its member clinics to cover the cost  
 48 of eligible health services provided during the COVID-19 emergency and  
 49 other costs allowed pursuant to federal guidance. By August 1, 2020, and by  
 50 November 1, 2020, NCAFCC shall report to the Joint Legislative Oversight  
 51 Committee on Health and Human Services and the Fiscal Research Division

- 1 on a plan for allocating the funds received under this ~~section, subdivision~~ and  
 2 by February 1, 2021, on the use of these funds by recipients.
- 3 (33) ~~\$1,500,000~~ \$6,500,000 to the Department of Health and Human Services to  
 4 provide a grant to NC MedAssist, a nonprofit corporation, to offset increased  
 5 costs for providing prescription assistance services during the COVID-19  
 6 pandemic to individuals who are indigent or uninsured.
- 7 (34) ~~\$7,425,000~~ \$12,425,000 to OSBM to allocate to ~~the~~ North Carolina  
 8 Community Health Center Association (NCCHCA), a nonprofit organization,  
 9 to be used ~~for~~ as follows:
- 10 a. \$600,000 for equal distribution to the following North Carolina  
 11 federally qualified health center look-alikes, to cover the cost of  
 12 eligible health services provided during the COVID-19 emergency and  
 13 other costs allowed pursuant to federal guidance:
- 14 1. Black River Health Services, Inc., a nonprofit corporation.  
 15 2. Hot Springs Health Program, a nonprofit corporation.  
 16 3. NeighborHealth Center, Inc., a nonprofit corporation.
- 17 b. The remainder for distribution to its member health centers to cover  
 18 the cost of eligible health services provided during the COVID-19  
 19 emergency and other costs allowed pursuant to federal guidance. By  
 20 August 1, 2020, and by November 1, 2020, NCCHCA shall report to  
 21 the Joint Legislative Oversight Committee on Health and Human  
 22 Services and the Fiscal Research Division on a plan for allocating the  
 23 funds received under this ~~section, subdivision~~, and by February 1,  
 24 2021, on the use of these funds by recipients.
- 25 ...
- 26 (35a) \$34,002,617 in nonrecurring funds to OSBM to be allocated for COVID-19  
 27 testing, as provided in sub-subdivisions a. and b. of this subdivision.
- 28 a. \$29,002,617 to be distributed in equal amounts to the nonprofit  
 29 organizations known as NC Senior Living Association (NCSLA), NC  
 30 Health Care Facilities Association (NHCFA), and NC Assisted  
 31 Living Association (NCALA) to purchase COVID-19 tests that, at a  
 32 minimum, have been approved for emergency use by the United States  
 33 Food and Drug Administration. NCSLA, NHCFA, and NCALA  
 34 shall use at least fifty percent (50%) of their allocated funds to  
 35 purchase rapid COVID-19 tests for distribution to their member  
 36 facilities. NCSLA, NHCFA, and NCALA shall distribute all tests  
 37 funded by this allocation equally among their member facilities, free  
 38 of charge, for testing facility staff, residents, and visitors. Each of the  
 39 member facilities shall reserve the COVID-19 rapid tests received  
 40 under this subdivision for testing visitors who are family members or  
 41 legal guardians of residents.
- 42 b. \$5,000,000 to the Board of Governors of The University of North  
 43 Carolina (UNC), to be used to effectively mitigate the spread of  
 44 COVID-19 on UNC campuses through testing, tracing, enforcing  
 45 required on-campus isolation and quarantine, and providing  
 46 COVID-19 related health care services.
- 47 ...
- 48 (37) ~~\$19,000,000~~ \$20,000,000 to the Department of Health and Human Services  
 49 to provide funding for food banks, support for residential settings that are  
 50 incurring additional costs to mitigate spread or isolate positive cases (Special  
 51 Assistance), adult and child protective services response, support for homeless

- 1 and domestic violence shelters and housing security (prevention, diversion,  
2 and rapid re-housing), child care response, costs to expand NCCARE360, a  
3 Statewide coordinated care network that will connect individuals impacted by  
4 COVID-19 to local services such as food, housing, child care and other  
5 resources, and technology modifications to support COVID-19 emergency  
6 relief to beneficiaries. From funds received pursuant to this subdivision, the  
7 sum of ~~\$2,500,000~~ \$3,500,000 is allocated to Reinvestment Partners, a  
8 nonprofit organization, for its Produce Prescription Program, which provides  
9 a monthly forty dollar (\$40.00) per household benefit for each eligible Food  
10 and Nutrition Services recipient enrolled by the recipient's health care  
11 provider, to serve individuals impacted by the COVID-19 emergency.  
12 Individuals receiving assistance pursuant to this subdivision are limited to  
13 three months of food assistance.
- 14 ...
- 15 (42) ~~\$3,550,000~~ \$4,350,000 to the Department of Health and Human Services,  
16 Division of Social Services, to assist in serving children in foster care during  
17 the COVID-19 emergency. These funds shall be used for monthly  
18 supplemental payments in the amount of one hundred dollars (\$100.00) for  
19 each child receiving foster care assistance payments beginning with the month  
20 of April 2020 and continuing until funds are exhausted.
- 21 ...
- 22 (45) ~~\$125,000,000~~ \$75,000,000 to OSBM for Golden LEAF to provide loans in  
23 accordance with Section 4.2 of this act.
- 24 (46) \$9,000,000 to the Department of Information Technology to use for the  
25 Growing Rural Economies with Access to Technology Fund to provide  
26 supplementary project funding to enable funding for all qualifying GREAT  
27 program applications. GREAT program grant applications received on or  
28 before April 1, 2020, that meet the criteria established pursuant to  
29 G.S. 143B-1373 shall be eligible to receive the supplementary funding in  
30 accordance with this subdivision. Applications that may have been eliminated  
31 as a result of the scoring process or that may have contained proposed project  
32 areas that overlap with other applications may submit a revision to an existing  
33 application to the Department to qualify for funding under this subdivision.  
34 An applicant awarded a grant shall, upon finalizing the agreement, receive an  
35 initial lump sum grant fund disbursement equal to the total grant award  
36 amount minus amounts assessed to the grant recipient for the matching  
37 requirement in G.S. 143B-1373(j). A grant recipient receiving the initial lump  
38 sum disbursement must provide evidence satisfactory to the Department that  
39 the recipient is financially solvent and has been providing broadband service  
40 in this State for at least two years and an attestation that the project will be  
41 completed pursuant to the agreement. Funds allocated under this subsection  
42 that remain unawarded on or after September 1, 2020, may be awarded for  
43 GREAT program grants that may be awarded by the Department in a special  
44 supplementary grant process occurring after October 1, 2020.
- 45 (47) ~~\$10,000,000~~ \$20,250,000 to the Department of Agriculture and Consumer  
46 Services to be used to provide support for meat processing facilities and for  
47 seafood processing facilities in accordance with Section 4.2A of this act.
- 48 ...
- 49 (51) ~~\$15,000,000~~ \$60,500,000 to the Department of Commerce for grants awarded  
50 by the Economic Investment Committee pursuant to Section 4.2B of this act.
- 51 ...

- 1 (63) ~~\$7,000,000~~ \$27,000,000 to the Department of Public Instruction to provide  
2 personal protective equipment for public schools, in response to the  
3 COVID-19 pandemic, to facilitate in-person instruction for the 2020-2021  
4 school year. Personal protective equipment provided pursuant to this  
5 subdivision shall meet applicable federal standards and guidelines from the  
6 Centers for Disease Control and Prevention. Funds allocated pursuant to this  
7 subdivision may also be used to provide COVID-19 testing for public schools.  
8 (64) ~~\$5,000,000~~ \$22,000,000 to the Department of Public Instruction to hold in  
9 reserve and to award as grants, in the discretion of the Department, to public  
10 school units that apply for funds to provide access to services for exceptional  
11 children who have lost critical services as a result of school closures related  
12 to COVID-19. Of these funds, the Department is encouraged to use at least  
13 seventeen million dollars (\$17,000,000) for in-person services for qualifying  
14 children.  
15 ...  
16 (70) \$4,300,000 to OSBM to be allocated to the Children's Advocacy Centers  
17 (CACNC) of North Carolina, Inc., a nonprofit corporation, ~~to~~ of which at least  
18 seventy-five percent (75%) shall be distributed to child advocacy centers in  
19 this State that are in good standing with CACNC to cover the cost of increased  
20 child caseloads and the statewide provision of more effective and available  
21 virtual counseling assist with increased costs due to the COVID-19 pandemic.  
22 ...  
23 (72) \$440,541,000 to the Department of Revenue for grants awarded by the  
24 Department pursuant to Section 4.12 of this act.  
25 (73) \$2,000,000 to OSBM to allocate to the Carolina Small Business Development  
26 Fund, a community development financial institution, to be used for business  
27 advisory services to and deploying capital to small businesses in North  
28 Carolina to assist those businesses with losses due to a disruption of services  
29 resulting from the COVID-19 pandemic. Funding provided in this subdivision  
30 shall be used for financial assistance, business solutions and research,  
31 technology for applications for and reporting on aid, underwriting and loan  
32 servicing, technical assistance and advisory services, consulting for technical  
33 assistance workshops, and marketing and communication regarding services.  
34 (74) \$3,750,000 to OSBM to be allocated in the form of a grant to CAGC  
35 Foundation, Inc., a nonprofit organization, to be used in accordance with  
36 Section 4.14 of this act.  
37 (75) \$87,000,000 to the Department of Commerce, Division of Employment  
38 Security, to be credited to the Unemployment Insurance Trust Fund and used  
39 to provide the increased benefit amount payable under G.S. 96-14.2(e). If the  
40 increased benefits paid under G.S. 96-14.2(e) exceed \$87,000,000, then there  
41 is appropriated from the General Fund to the Unemployment Insurance Trust  
42 Fund an amount equal to the amount of increased benefits paid under  
43 G.S. 96-14.2(e) less \$87,000,000. The intent of the General Assembly is to  
44 hold harmless the Unemployment Insurance Trust Fund for any increased  
45 benefits paid under G.S. 96-14(e).  
46 (75a) \$50,000,000 to the OSBM to fulfill any outstanding State match requirement  
47 due to FEMA under the federal Lost Wage Assistance program at the close of  
48 that program. If this amount falls short of the State match required under the  
49 Lost Wages Assistance program, then OSBM is authorized to use funds  
50 allocated under Section 3.3(3) of S.L. 2020-4 to meet the remainder of the  
51 State match requirement. If any funds allocated under this subdivision are not

1 needed to meet the outstanding State match requirement at the close of the  
2 federal Lost Wage Assistance program, then they are allocated to be used for  
3 the continuity of operation needs across State government, in accordance with  
4 Section 3.3(3) of S.L. 2020-4.

5 (76) \$2,000,000 to the Department of Agriculture and Consumer Services to be  
6 used for emergency support of milk producers in accordance with Section 4.15  
7 of this act.

8 (77) \$750,000 to the Department of Agriculture and Consumer Services to provide  
9 emergency aid for farmers market operators and local food enterprises. The  
10 aid will allow those operations to adapt to new market conditions and further  
11 support communities experiencing food insecurity. Eligible categories for  
12 emergency aid include, but are not limited to, labor, technology or software  
13 upgrades, infrastructure enhancements, COVID-19 education materials, PPE,  
14 and test kits.

15 (78) \$19,700,000 to the Department of Natural and Cultural Resources to provide  
16 direct aid to mitigate business disruptions due to COVID-19 at Arts Councils  
17 throughout the State and at various statewide support groups for cultural and  
18 historical attractions. The Department shall distribute the funds as follows:

19 a. \$9,400,000 for grants to eligible local arts organizations on a per capita  
20 basis. For purposes of this sub-subdivision, an eligible local arts  
21 organization is an Arts Council or other nonprofit arts organization  
22 located in a county with a population of less than 1,000,000, according  
23 to the 2020 county population projections of the Office of State Budget  
24 and Management.

25 b. \$10,300,000 to statewide support organizations for the State's cultural,  
26 scientific, and historical attractions, to be distributed as follows:

27 1. \$300,000 to the Friends of the North Carolina State Museum  
28 of Natural Sciences.

29 2. \$1,500,000 to the North Carolina Aquarium Society.

30 3. \$2,500,000 to the North Carolina Museum of Art Foundation,  
31 Inc.

32 4. \$1,000,000 to the North Carolina Museum of History  
33 Foundation to support the North Carolina Museum of History,  
34 the Graveyard of the Atlantic Museum, the Mountain Gateway  
35 Museum and Heritage Center, the Museum of the Albemarle,  
36 the Museum of the Cape Fear, the North Carolina Maritime  
37 Museum at Beaufort, and the North Carolina Maritime  
38 Museum at Southport.

39 5. \$1,500,000 to the North Carolina Transportation Museum  
40 Foundation.

41 6. \$1,500,000 to the North Carolina Zoological Society, Inc.

42 7. \$1,000,000 to the Roanoke Island Historical Association, Inc.

43 8. \$1,000,000 to the Tryon Palace Foundation, Inc.

44 (78a) \$1,000,000 to the Department of Agriculture and Consumer Services for a  
45 grant to the North Carolina Association of Agricultural Fairs to alleviate  
46 enterprise impacts due to COVID-19 at the North Carolina State Fair and the  
47 Western North Carolina Agricultural Center.

48 (78b) \$2,100,000 to the Department of Natural and Cultural Resources to address  
49 needs at State Parks and Trails caused by high demand and record visitation  
50 levels due to COVID-19. Eligible uses include, but are not limited to, trail  
51 construction, increased trail maintenance, safety and health maintenance



- 1 needs, updates at public-facing facilities, temporary employees for cleaning  
2 and safety, and other uses that promote health and safety with the State Parks  
3 and Trails systems.
- 4 (79) \$400,000 to the Department of Natural and Cultural Resources for the North  
5 Carolina Symphony to mitigate increases in operational expenses for the  
6 Symphony's educational and community outreach missions due to  
7 COVID-19.
- 8 (79a) \$700,000 to OSBM to allocate to the Carolina Ballet, a nonprofit organization,  
9 to alleviate operational disruptions due to the COVID-19 pandemic.
- 10 (80) \$2,650,000 to the Department of Commerce to allocate to the following  
11 entities to address impacts related to COVID-19 as follows:
- 12 a. \$200,000 to Prospera North Carolina, LLC.  
13 b. \$1,000,000 for a North Carolina nonprofit corporation with which the  
14 Department contracts pursuant to G.S. 143B-431.01(b) for economic  
15 marketing.  
16 c. \$750,000 to Southeastern Economic Community Development  
17 Corporation, Inc., a nonprofit corporation.  
18 d. \$250,000 to Sampson County for economic development.  
19 e. \$250,000 to Sampson Community College.  
20 f. \$100,000 to the Paul J. Ciener Botanical Garden, a nonprofit  
21 corporation.  
22 g. \$100,000 to Old Salem, Inc., a nonprofit corporation.
- 23 (81) \$1,500,000 to the Department of Commerce to allocate to the One NC Small  
24 Business Fund established in G.S. 143B-437.71 for the mitigation of impacts  
25 from COVID-19 at eligible businesses to foster job creation and promote  
26 research and technological development in response to COVID-19. These  
27 funds shall not be used as a required match for any federal grant program.
- 28 (82) \$150,000 to the Office of State Budget and Management to be allocated to the  
29 Steve Smith Family Foundation, a 501(c)(3) organization, to be used for its  
30 virtual learning support program that assists homeless students during the  
31 COVID-19 pandemic to prevent those students from falling further behind the  
32 education gap. These funds shall be used for COVID-19 eligible expenses,  
33 including the cost of tutors, meals, personal protective equipment, cleaning,  
34 rental of work space for students, and on-site support of information  
35 technology and counseling.
- 36 (83) \$5,000,000 to the Community Colleges System Office to be allocated to  
37 community college campuses to purchase personal protective equipment in  
38 response to the COVID-19 pandemic. Personal protective equipment  
39 purchased with these funds shall meet applicable federal standards and  
40 guidelines from the Centers for Disease Control and Prevention. These funds  
41 may also be used for COVID-19 testing on community college campuses.
- 42 (84) \$9,000,000 to the University of North Carolina at Charlotte for the  
43 Bioinformatics Research Center to be used as follows:
- 44 a. \$4,000,000 for the development and analysis of viral and  
45 epidemiological data to address viral spread, assess treatments and  
46 therapeutics, and combat the COVID-19 pandemic and future viruses.  
47 b. \$5,000,000 for the development of a novel COVID-19 monitoring  
48 program based on the presence of the virus in wastewater and public  
49 transportation systems.
- 50 (85) \$13,000,000 to the Board of Governors of The University of North Carolina  
51 to be allocated to constituent institutions to be used to purchase personal

- 1 protective equipment in response to the COVID-19 pandemic. Personal  
2 protective equipment purchased with these funds shall meet applicable federal  
3 standards and guidelines from the Centers for Disease Control and Prevention.  
4 (86) \$6,500,000 to the Board of Governors of The University of North Carolina to  
5 be allocated to the State Education Assistance Authority (Authority) to be  
6 used to provide scholarships as an alternative educational option for certain  
7 students with disabilities during the COVID-19 pandemic. The Authority shall  
8 award scholarship funds as follows:
- 9 a. The Authority shall first award scholarship funds to eligible students  
10 who (i) had applied for scholarship funds for the 2020-2021 school  
11 year within the application deadlines established by the Authority and  
12 (ii) had not been awarded scholarship funds as of the date this act  
13 becomes law according to the following:
- 14 1. For applications for the Personal Education Savings Account  
15 Program, established pursuant to Article 41 of Chapter 115C  
16 of the General Statutes, the sum of three million six hundred  
17 fifty thousand dollars (\$3,650,000). Scholarship funds shall be  
18 disbursed for the fall semester of the 2020-2021 school year  
19 only, in accordance with the amounts set forth in  
20 G.S. 115C-592. Notwithstanding G.S. 115C-592, a student  
21 who receives an award of scholarship funds for the fall  
22 semester of the 2020-2021 school year pursuant to this  
23 subdivision who applies for a scholarship for the 2021-2022  
24 school year shall not receive priority in the award of a  
25 scholarship under G.S. 115C-592(a)(1).
- 26 2. For applications for the Special Education Scholarships for  
27 Students with Disabilities Program, established pursuant to  
28 Part 1H of Article 9 of Chapter 115C of the General Statutes,  
29 the sum of two million eight hundred fifty thousand dollars  
30 (\$2,850,000). Scholarship funds shall be disbursed for the fall  
31 semester of the 2020-2021 school year only, in accordance  
32 with the amounts set forth in G.S. 115C-112.6.  
33 Notwithstanding G.S. 115C-112.5(2)f., a student who receives  
34 an award of scholarship funds for the fall semester of the  
35 2020-2021 school year pursuant to this subdivision who  
36 applies for a scholarship for the 2021-2022 school year (i) shall  
37 be deemed to meet the eligibility requirements of  
38 G.S. 115C-112.5(2)f.1. and (ii) shall not receive priority in the  
39 award of a scholarship under G.S. 115C-112.6(a2)(1).
- 40 b. After awarding scholarship funds pursuant to sub-subdivision a. of this  
41 subdivision, the Authority shall, to the extent feasible, distribute any  
42 remaining funds as scholarship funds to additional eligible students for  
43 the fall semester of the 2020-2021 school year, including reopening  
44 the application period under the Personal Education Savings Account  
45 Program or the Special Education Scholarships for Students with  
46 Disabilities Program or both. The provisions of this subdivision shall  
47 apply to the award of any additional scholarship funds under those  
48 programs.
- 49 (87) \$250,000 to the Board of Governors of The University of North Carolina to  
50 be allocated to the State Education Assistance Authority (Authority) to be  
51 allocated to nonpublic schools that enroll students who receive scholarship

1 funds pursuant to the Opportunity Scholarship Grant Program, established in  
2 accordance with Part 2A of Article 39 of Chapter 115C of the General  
3 Statutes, for the purchase of personal protective equipment for use in schools.  
4 The Authority shall allocate to each eligible nonpublic school a pro rata  
5 amount based on the number of students enrolled in the school that receive  
6 scholarship funds as of September 15, 2020. Personal protective equipment  
7 purchased with these funds shall meet applicable federal standards and  
8 guidelines from the Centers for Disease Control and Prevention.

9 (88) \$5,000,000 to the Board of Governors of The University of North Carolina to  
10 be allocated to the State Education Assistance Authority (Authority) for the  
11 Authority to provide funds to each eligible private postsecondary institution,  
12 as defined in G.S. 116-280(3), by apportioning an amount equal to the  
13 following:

14 a. Seventy-five percent (75%) of the institution's relative share of  
15 full-time equivalent students who were enrolled as of March 13, 2020,  
16 who received scholarships pursuant to Article 34 of Chapter 116 of the  
17 General Statutes for the spring semester of the 2019-2020 academic  
18 year.

19 b. Twenty-five percent (25%) of the institution's relative share of  
20 full-time equivalent students who were enrolled as of March 13, 2020,  
21 who had not received scholarships pursuant to Article 34 of Chapter  
22 116 of the General Statutes for the spring semester of the 2019-2020  
23 academic year.

24 These funds shall be used to purchase personal protective equipment in  
25 response to the COVID-19 pandemic. Personal protective equipment  
26 purchased with these funds shall meet applicable federal standards and  
27 guidelines from the Centers for Disease Control and Prevention.

28 (89) \$1,100,000 to the Department of Public Instruction to be allocated to  
29 Communities in Schools of North Carolina, Inc., in response to COVID-19,  
30 for the following:

31 a. Personal protective equipment for staff that meets applicable federal  
32 standards and guidelines from the Centers for Disease Control and  
33 Prevention.

34 b. Assistance for students in kindergarten through twelfth grade with  
35 remote instruction, nutrition, family support, and mental health.

36 (90) \$115,000 to the Department of Public Instruction to be allocated to Mount  
37 Airy City Schools, in response to COVID-19, to establish the Smart School  
38 Bus Safety Pilot Program in accordance with Section 4.16 of this act.

39 (91) \$1,000,000 to the Department of Public Instruction to be allocated to  
40 Alamance-Burlington Schools, in response to COVID-19, for school nutrition  
41 services, transportation services, technology, remote instruction materials and  
42 services, personal protective equipment that meets applicable federal  
43 standards and guidelines from the Centers for Disease Control and Prevention,  
44 temperature screening tools, Alamance-Burlington Connects Initiative, and  
45 other goods and services necessitated by the COVID-19 pandemic.

46 (92) \$500,000 to the Department of Public Instruction to be allocated on the basis  
47 of average daily membership to all public school units in Bertie County,  
48 Camden County, Chowan County, Perquimans County, Tyrrell County, and  
49 Washington County, in response to COVID-19, for school nutrition services,  
50 transportation services, technology, remote instruction materials and services,  
51 personal protective equipment that meets applicable federal standards and

- 1 guidelines from the Centers for Disease Control and Prevention, temperature  
2 screening tools, and other goods and services necessitated by the COVID-19  
3 pandemic.
- 4 (93) \$5,000,000 to the Community Colleges System Office to be allocated to  
5 community college campuses for equipment costs for health care workforce  
6 and first responder programs necessary for the State's response to the  
7 COVID-19 pandemic.
- 8 (94) \$14,300,000 to OSBM for the PPE-NC Initiative, a partnership between the  
9 Manufacturing Solutions Center (MSC) at Catawba Valley Community  
10 College, Gaston College's Textile Technology Center, the City of Conover,  
11 Gaston County, and the private sector to create a launch pad for prototyping  
12 and testing reusable personal protective equipment (PPE) products for  
13 entrepreneurs and existing manufacturers in response to the COVID-19  
14 pandemic. The funds shall be allocated by OSBM as follows:
- 15 a. \$9,000,000 as a grant to the City of Conover for the following  
16 purposes:
- 17 1. \$7,250,000 shall be used to construct a purpose-built facility to  
18 house testing labs, rapid prototyping, and a textile sourcing  
19 library.
- 20 2. \$1,250,000 shall be used for a clean room upfit for MSC  
21 facilities.
- 22 3. \$500,000 shall be used for equipment, materials, and logistics  
23 for a rapid prototyping pilot line to create product and to train  
24 a workforce for United States manufacturers of PPE.
- 25 b. \$5,300,000 as a grant to Gaston County to construct an Incubator and  
26 Extrusion Center for Advanced Fibers for Gaston College's Textile  
27 Technology Center.
- 28 (95) \$1,000,000 to the Community Colleges System Office to be allocated to  
29 Cleveland Community College for personal protective equipment and costs  
30 for equipment and training related to COVID-19.
- 31 (96) \$1,000,000 to the Board of Governors of The University of North Carolina for  
32 the New Teacher Support Program to provide mentoring and coaching support  
33 to beginning teachers who are employed in public schools most impacted by  
34 COVID-19 at no cost to the local school administrative units.
- 35 (97) \$500,000 to the University of North Carolina at Chapel Hill to be used for the  
36 Southern Regional Area Health Education Center for COVID-19 related  
37 response activities, including outreach and education.
- 38 (98) \$500,000 to East Carolina University to conduct research in partnership with  
39 the Dartmouth Atlas Project at the Dartmouth Institute for Health Policy and  
40 Clinical Practice on the key impacts of COVID-19, including studying patient  
41 clinical outcomes, health impacts, resulting economic hardships, and other  
42 long-term economic outcomes, such as unemployment, bankruptcy, and  
43 recovery.
- 44 (99) \$5,000,000 to Fayetteville State University to be used to complete physical  
45 and virtual technology laboratories required to continue existing research on  
46 the impacts of the COVID-19 pandemic and to develop solutions for industry  
47 partners and vulnerable populations. The funds shall be used as follows:
- 48 a. \$2,000,000 for the build-out of an existing structure, including fixtures  
49 and equipment needed to perform research and development.

- 1                    b.        \$3,000,000 for developing virtual infrastructure and capabilities  
2                    required for computational development and testing, including  
3                    meeting cybersecurity and compliance standards.
- 4                    (100) \$1,000,000 to the Department of Public Instruction to make available to public  
5                    school units one or more Gaggle safety management products to enhance  
6                    student safety while providing remote instruction in response to COVID-19.
- 7                    (101) \$4,500,000 to the Office of State Budget and Management, Special  
8                    Appropriations, to allocate to the Community Foundation of Greater  
9                    Greensboro, Inc., a nonprofit corporation, to mitigate impacts resulting from  
10                   the COVID-19 pandemic. These funds shall be allocated as follows:
- 11                   a.        \$2,250,000 for Guilford County.  
12                   b.        \$875,000 for Alamance County.  
13                   c.        \$750,000 for Randolph County.  
14                   d.        \$625,000 for Rockingham County.
- 15                   (102) \$12,000,000 to the Department of Administration, Council for Women, to be  
16                   allocated as follows:
- 17                   a.        \$6,000,000 for domestic violence centers across the State to help  
18                   mitigate increased incidents of domestic violence as a result of the  
19                   COVID-19 pandemic in accordance with G.S. 50B-9.
- 20                   b.        \$6,000,000 for sexual assault programs across the State to help  
21                   mitigate increased incidents of sexual assault as a result of the  
22                   COVID-19 pandemic in accordance with G.S. 143B-394.21.
- 23                   (103) \$50,000 to the Department of Administration, Division of Non-Public  
24                   Education, to fund temporary positions to assist in processing the increased  
25                   volume of homeschool filings resulting from the COVID-19 pandemic.
- 26                   (103a) \$19,900,000 to YMCA of the Triangle Area, Inc., (YMCA) for the North  
27                   Carolina Alliance of YMCAs (Alliance) which shall develop and administer  
28                   a grant program to facilitate remote learning opportunities during the  
29                   COVID-19 pandemic. For purposes of the grant program, the YMCA shall  
30                   serve only as the fiscal agent for the Alliance. The following shall apply to the  
31                   grant program developed and administered by the Alliance pursuant to this  
32                   subdivision:
- 33                   a.        All North Carolina YMCAs, YWCAs, Boys and Girls Clubs, county  
34                   and municipal parks and recreation departments, and  
35                   community-based organizations are eligible to receive grant funds. For  
36                   purposes of this subdivision, the term "community-based  
37                   organizations" means public or private nonprofit organizations of  
38                   demonstrated effectiveness that are representative of a community or  
39                   significant segments of a community that provide educational or  
40                   related services to individuals in the community, such as parks and  
41                   recreation programs, YMCAs, YWCAs, and Boys and Girls Clubs.
- 42                   b.        All applicants shall submit a plan detailing how grant funds will be  
43                   spent and the estimated number of children that will be served with  
44                   grant funds.
- 45                   c.        Priority shall be given to applicants serving populations from local  
46                   education agencies that are operating under Plans B and C of the  
47                   Department of Health and Human Services guidelines for school  
48                   operations.
- 49                   d.        Individual grants shall not exceed one hundred thousand dollars  
50                   (\$100,000).

- 1 e. Applicants shall demonstrate the ability to use all grant funds before  
2 December 30, 2020.
- 3 f. Of the funds allocated in this subdivision, the Alliance and YMCA  
4 may use a total of one hundred thousand dollars (\$100,000) for  
5 administrative costs.
- 6 (104) \$5,000,000 to the State Board of Elections, Budget Code 28025, to prevent,  
7 prepare for, and respond to the coronavirus pandemic during the 2020 federal  
8 election cycle to be allocated as follows:
- 9 a. \$1,000,000 to provide each county \$10,000 to supplement county  
10 funds for election-day voting.
- 11 b. \$2,500,000 to counties to increase election day worker pay, consistent  
12 with applicable federal law or guidance governing the use of funds, by  
13 \$100.00 for each worker during the administration of the November 3,  
14 2020, statewide general election.
- 15 c. \$1,000,000 to the State Board of Elections for an advertising campaign  
16 to recruit election day workers.
- 17 d. \$500,000 to be held in reserve by the State Board of Elections to  
18 reimburse counties for additional election day worker pay in  
19 accordance with the initial allocation provided under sub-subdivision  
20 b. of this subdivision.
- 21 After funding the required allocations under this subdivision, the State Board  
22 of Elections shall use the five hundred thousand dollars (\$500,000) held in  
23 reserve under sub-subdivision d. of this subdivision, or any portion remaining,  
24 to reimburse counties if the initial allocation in sub-subdivision a. of this  
25 subdivision is insufficient. Counties shall certify to the State Board of  
26 Elections that CARES Act funds received under this subdivision will be used  
27 to supplement, not supplant, county funds. Funds allocated under this  
28 subdivision shall be used in accordance with this subdivision and the  
29 requirements and limitations set forth in the federal CARES Act. Any unspent  
30 federal CARES Act funds allocated to counties shall be returned to the State  
31 by December 15, 2020, and deposited in Budget Code 28025. The State Board  
32 of Elections shall transfer all unspent CARES Act funds to the Coronavirus  
33 Relief Fund no later than December 30, 2020. The State Board of Elections  
34 shall report on the funds expended in accordance with this subdivision to the  
35 chairs of the Joint Legislative Oversight Committee on General Government  
36 and the Joint Legislative Elections Oversight Committee. The State Board of  
37 Elections shall submit an initial report of expenditures by November 30, 2020,  
38 and a final report by December 31, 2020.
- 39 (105) Consistent with the findings set forth in Section 1 of S.L. 2020-14, \$300,000  
40 to the Department of Public Safety to be used as follows:
- 41 a. \$275,000 as a grant to the Craven County Sheriff's Office for the  
42 purchase of Voice Interoperability Plan for Emergency Responders  
43 (VIPER) radios.
- 44 b. \$25,000 as a grant to the Town of Chocowinity for the purchase of  
45 VIPER radios.
- 46 (105a) \$100,000 to the Department of Public Safety to provide a grant to the Lenoir  
47 County Emergency Services to be used for equipment needed to respond to  
48 COVID-19.
- 49 (106) \$600,000 to the Department of Health and Human Services, Division of Social  
50 Services, to continue increasing access to Food and Nutrition Services (FNS)

1 benefits for individuals who are dually eligible for Medicare and Medicaid in  
2 response to the COVID-19 pandemic.

3 (106a) \$35,000,000 to the Department of Health and Human Services, Division of  
4 Child Development and Early Education (Division), to provide operational  
5 grants to licensed child care providers. The Division shall distribute these  
6 grants in a manner consistent with the formula the Division used in  
7 distributing operational grants from prior CARES Act funds it has received  
8 and post the formula on its public Web site for licensed child care providers  
9 to access. Providers receiving grant awards under this subdivision may use the  
10 funds for various operating costs, including, but not limited to, nonrecurring  
11 staff pay increases consistent with the applicable federal law or guidance  
12 governing the use of funds, offsetting transportation costs, and any other  
13 reasonable costs incurred in providing child care in response to the COVID-19  
14 pandemic.

15 (106b) \$8,000,000 to the Department of Health and Human Services, Division of  
16 Child Development and Early Education (Division), to provide assistance  
17 payments to parents using remote learning opportunities for the care of their  
18 children in accordance with G.S. 110-86(2)i., as amended by Section 3.7A of  
19 House Bill 1105, 2019 Regular Session. The Division shall (i) establish a  
20 process for parents to apply for assistance under this subdivision, (ii) post the  
21 application on its public Web site, and (iii) inform parents that these assistance  
22 payments are available for both licensed child care facilities and  
23 community-based organizations registered with the Division in accordance  
24 with G.S. 110-98.5, as amended by Section 3.7A of House Bill 1105, 2019  
25 Regular Session. The Division shall give preference to applicants who reside  
26 in a household with an income level not in excess of one hundred fifty percent  
27 (150%) of the amount required for a child in the home to qualify for the federal  
28 free or reduced-price lunch program. The Division shall not count any  
29 distribution from the estate of a decedent in calculating the income level of  
30 the applicant's household for the purposes of determining eligibility for  
31 assistance under this subdivision.

32 (106c) \$20,000,000 to the Department of Health and Human Services (Department)  
33 to establish the North Carolina COVID-19 Provider Relief Fund (Fund). The  
34 Department shall allocate the monies in the Fund to reimburse providers  
35 enrolled in the North Carolina Medicaid program for costs incurred in  
36 providing COVID-19 related treatment to uninsured patients in North  
37 Carolina during the COVID-19 pandemic. The Department shall reimburse  
38 these providers for COVID-19 related treatment expenses incurred on or after  
39 March 10, 2020, through December 30, 2020. However, the Department shall  
40 not reimburse expenses pursuant to this subdivision that exceed Medicare  
41 reimbursement rates. The Department shall model the Fund, including  
42 eligibility for the receipt of funds and the criteria for reimbursement, as  
43 reasonably as possible, after the federal Provider Relief Program established  
44 under the CARES Act. At a minimum, the Department shall include the  
45 following criteria in establishing the Fund:

46 a. The documentation to be submitted with the request for  
47 reimbursement.

48 b. The means by which a provider is to submit documentation requesting  
49 reimbursement.

- 1                   c.       A statement by the provider attesting that the documentation submitted  
2                   is for an eligible expense and that the payment will not be used for  
3                   expenses that have been or will be reimbursed from other sources.  
4       (107) \$300,000 to the Department of Health and Human Services, Division of Social  
5                   Services, for Children's Home Society of North Carolina, Inc., (CHS) to  
6                   provide virtual foster care and adoption services for families and children  
7                   experiencing hardship as a result of the COVID-19 pandemic.  
8       (108) \$100,000 to OSBM to provide a grant to Backpack Ministry, Inc., d/b/a Food  
9                   for Families, a nonprofit organization that provides food to students that  
10                   otherwise would not receive a meal at home, to address increased food service  
11                   demands due to the impact of COVID-19.  
12       (109) \$300,000 to the Department of Health and Human Services, Division of Social  
13                   Services, to establish a student health collaborative pilot program in  
14                   accordance with Section 4.18 of this act.  
15       (110) \$400,000 to OSBM to provide a grant to Bridge to Recovery, Inc., a nonprofit  
16                   organization, to offset the costs of increased demand for substance use  
17                   disorder services related to the impacts of COVID-19 and to fund the  
18                   development of innovative substance use disorder programs designed to  
19                   address growing substance use disorder concerns in Union County, Stanly  
20                   County, and surrounding areas as a result of COVID-19.  
21       (111) \$500,000 to OSBM to provide a grant to Triangle Residential Options for  
22                   Substance Abusers, Inc., a nonprofit corporation, to be used for (i) offsetting  
23                   increased operational expenses incurred for providing comprehensive  
24                   residential substance use disorder treatment associated with the COVID-19  
25                   pandemic, for the period beginning March 1, 2020, and ending December 30,  
26                   2020, and (ii) any other COVID-19 related losses or expenses incurred during  
27                   that time period, as allowed under the Coronavirus Aid, Relief, and Economic  
28                   Security (CARES) Act, P.L. 116-136.  
29       (112) \$1,000,000 to OSBM to be allocated to Nurse Family Partnership, a nonprofit  
30                   corporation located in North Carolina, to help offset COVID-19 related  
31                   expenses incurred for the following services provided and supplies used  
32                   within the State between March 1, 2020, and December 30, 2020:  
33                   a.       Overtime, additional staffing requirements, teaching program  
34                   participants and their families preventive measures, supporting  
35                   program participants and their families in coping with preventive  
36                   social distancing or quarantine, and translating, as needed, educational  
37                   and health interventions to a distance platform.  
38                   b.       Personal protective equipment for distribution, free of charge, to  
39                   program participants, their families, and the visiting nurses serving  
40                   program participants.  
41                   c.       Any other allowed uses under the Coronavirus Aid, Relief, and  
42                   Economic Security (CARES) Act, P.L. 116-136.  
43       (114) \$750,000 to OSBM to be allocated to North Carolina Assisted Living  
44                   Association (NCALA), a nonprofit organization, to facilitate safe visitation  
45                   and communication between residents and family members and to maintain  
46                   Centers for Disease Control and Prevention infection control guidance and  
47                   safety standards. NCALA shall distribute these funds as follows:  
48                   a.       \$500,000 to be distributed equally among its member facilities for the  
49                   purchase of communications equipment and technology, such as smart  
50                   devices for residents.



- 1                    b.        \$250,000 to be distributed equally among its member facilities for the  
2                    purchase of environmental supplies and the development of plans to  
3                    redesign visitation or common areas to address resident isolation.  
4                    (114a) \$34,000 to OSBM to provide a grant to the Iredell County Health Department,  
5                    to be used to purchase a cargo trailer, temporary fencing, and a canopy to  
6                    support a mobile mass-testing site for COVID-19.  
7                    (114b) \$25,000,000 to OSBM to allocate to the North Carolina Medical Society  
8                    Foundation to ensure access to medical care for the citizens of this State by  
9                    distributing these funds to independent medical practices in this State with  
10                   demonstrable financial needs related to COVID-19.  
11                   (114c) \$10,000 to OSBM to be allocated to Watauga County to be used to purchase  
12                   a portable broadband kit for the local health department to facilitate the  
13                   real-time transmission of testing data from COVID-19 mobile testing sites  
14                   located in rural areas served by the local health department. These funds shall  
15                   not be used for either of the following:  
16                   a.        Any purpose other than to purchase the equipment described in this  
17                   subdivision.  
18                   b.        To purchase subscription services.  
19                   (114d) \$6,000,000 to be allocated to the Department of Health and Human Services  
20                   to purchase personal protective equipment and sanitizing supplies for  
21                   prevention efforts to combat COVID-19 in child care settings regulated by the  
22                   State.  
23                   (114e) \$23,000,000 to OSBM to be allocated in equal amounts to the nonprofit  
24                   organizations known as North Carolina Senior Living Association (NCSLA),  
25                   North Carolina Health Care Facilities Association (NCHCFA), and North  
26                   Carolina Assisted Living Association (NCALA). NCSLA, NCHCFA, and  
27                   NCALA shall use these funds to purchase and distribute, free of charge, to  
28                   their member facilities (i) COVID-19 related supplies and equipment  
29                   necessary for life safety, health, and sanitation, such as ventilators, touch-free  
30                   thermometers, gowns, disinfectant, and sanitizing wipes, and (ii) personal  
31                   protective equipment, such as surgical and respiratory masks and gloves, that  
32                   meets Centers for Disease Control and Prevention standards and guidelines.  
33                   By February 1, 2021, NCSLA, NCHCFA, and NCALA shall each submit a  
34                   report on their use of these allocated funds to the Joint Legislative Oversight  
35                   Committee on Health and Human Services and the Fiscal Research Division.  
36                   (114f) \$38,000,000 to the Department of Health and Human Services, Division of  
37                   Mental Health, Developmental Disabilities, and Substance Abuse Services  
38                   (DMH/DD/SAS), to be distributed to local management entities/managed care  
39                   organizations (LME/MCOs) as additional lump sum single-stream  
40                   allocations. LME/MCOs shall not use these funds for any purpose other than  
41                   to provide eligible individuals direct services associated with the COVID-19  
42                   pandemic. The DMH/DD/SAS shall distribute these funds among the  
43                   LME/MCOs as follows:  
44                   a.        \$5,899,330 to Alliance Behavioral Healthcare.  
45                   b.        \$9,166,016 to Cardinal Innovations Healthcare.  
46                   c.        \$4,027,152 to Eastpointe.  
47                   d.        \$4,375,407 to Partners Behavioral Health Management.  
48                   e.        \$4,631,095 to Sandhills Center.  
49                   f.        \$5,292,267 to Trillium Health Resources.  
50                   g.        \$4,608,733 to Vaya Health.

1           (115) \$30,000,000 to the Department of Information Technology to use for the  
2           Growing Rural Economies with Access to Technology Fund to provide  
3           funding for a special supplementary GREAT Act grant process in accordance  
4           with Section 4.17 of this act."

5           **SECTION 1.3.** S.L. 2020-4 is amended by adding the following new sections to  
6 read:

7 **"EXTRA CREDIT GRANT PROGRAM**

8           **"SECTION 4.12.(a)** Purpose, Use, Appropriation. – The purpose of this section is to use  
9 funds from the Coronavirus Relief Fund to help families with qualifying children in North  
10 Carolina by providing economic support to assist with virtual schooling and child-care costs  
11 during the COVID-19 pandemic. The Department of Revenue may use up to \$5,000,000 of the  
12 funds allocated in subdivision (72) of Section 3.3 of this act for the administration of the grant  
13 program and shall use the remainder of the funds to provide grants under this program. If the  
14 amount of grants awarded under this program exceeds the amount of funds allocated under this  
15 act for this program, then there is appropriated from the General Fund for the 2020-2021 fiscal  
16 year to the Department of Revenue an amount equal to the amount of grants awarded under this  
17 program less the amount of funds allocated under this section from the Coronavirus Relief Fund  
18 for this program.

19           **"SECTION 4.12.(b)** Extra Credit Grant Program. – There is created the Extra Credit Grant  
20 Program to be administered by the Department of Revenue. The Department must provide a  
21 one-time grant to an individual that meets the conditions of this section.

22           The Department must include with each grant award an explanatory insert provided by the  
23 State Controller. The insert must specify that the grant award is intended to assist with the  
24 additional virtual schooling or child care expenses incurred due to COVID-19. The insert cannot  
25 include the name of an elected official.

26           **"SECTION 4.12.(c)** Grant Award. – The grant amount is three hundred thirty-five dollars  
27 (\$335.00) per eligible individual. For purposes of this section, spouses who filed a joint 2019  
28 State income tax return are considered one eligible individual. The Department of Revenue must  
29 award the grants as soon as practicable, but no later than December 15, 2020. If an individual  
30 meets all the requirements of this section for a grant award, but the return is not processed by the  
31 Department on or before December 15, 2020, then the Department may issue a grant award to  
32 the individual upon the processing of the return but in no event may an award be issued on or  
33 after January 1, 2021. The Department cannot disclose information regarding individual grants  
34 awarded under this program except as allowed for tax information in G.S. 105-259(b)(1)-(55).  
35 The Department may report on the aggregate grant awards provided under this program.

36           A grant may be issued by direct deposit if the individual received a 2019 State tax refund by  
37 direct deposit. In such circumstances, the direct deposit should be to the account to which the  
38 individual's 2019 State tax refund was deposited. If the Department becomes aware that such  
39 account is no longer associated with the individual or that the owner of the account has not  
40 remitted the grant to the individual entitled to the grant, then the Department may demand that  
41 the recipient of the deposit return the grant. In such circumstances, the Department may also  
42 reissue the grant to the individual by virtue of a check mailed to the address on the individual's  
43 2019 State income tax return. Grants issued by checks will be mailed to the address on the  
44 individual's 2019 State income tax return unless an updated address is available or the address  
45 on the individual's application. Checks issued by the Department under this subsection are valid  
46 for 90 days.

47           **"SECTION 4.12.(d)** Eligibility. – The Department of Revenue must award a grant to the  
48 following individuals:

- 49           (1) Automatic grant award. – An individual who filed a 2019 State income tax  
50 return on or before October 15, 2020, as provided under G.S. 105-263 and  
51 meets both of the following conditions:

- 1 a. The taxpayer reported on Form D-400 that either the taxpayer or, if  
2 filing a joint return, the taxpayer's spouse, was a resident of the State  
3 for the entire 2019 calendar year.
- 4 b. The taxpayer reported at least one qualifying child on line 10a of Form  
5 D-400.
- 6 (2) Application for grant award. – An individual who applied for a grant under  
7 this program on a form prescribed by the Secretary of Revenue postmarked  
8 on or before October 15, 2020, and meets all the following conditions:
- 9 a. The applicant did not file a 2019 State income tax return solely  
10 because the applicant's gross income for the 2019 taxable year did not  
11 exceed the State filing requirements for the taxpayer's filing status.
- 12 b. The applicant provides a name, mailing address, and any other  
13 information required by the Secretary.
- 14 c. The applicant reports that the applicant was a resident of the State for  
15 the entire 2019 calendar year.
- 16 d. The applicant reports the applicant had at least one child that met the  
17 conditions of a qualifying child, as that term is defined in Section 24  
18 of the Internal Revenue Code, for the 2019 calendar year. The  
19 applicant must include the name, age, and social security number of  
20 the qualifying child. A child can only be claimed as a qualifying child  
21 by one applicant.  
22

#### 23 **"TEMPORARY FLEXIBILITY FOR TRANSPORTATION ALLOTMENT**

24 **"SECTION 4.13.** For the 2020-2021 school year, local school administrative units may use  
25 funds provided from the transportation allotment for the following additional purposes related to  
26 the COVID-19 pandemic:

- 27 (1) School nutrition.
- 28 (2) School- and community-based child care.
- 29 (3) Sanitizing schools and buses.
- 30 (4) In order to facilitate in-person instruction, personal protective equipment that  
31 meets applicable federal standards and guidelines from the Centers for  
32 Disease Control and Prevention.
- 33 (5) Remote instruction.  
34

#### 35 **"CONSTRUCTION PPE & EDUCATION**

36 **"SECTION 4.14.(a)** The General Assembly finds that the coronavirus pandemic requires  
37 enactments that promote the general welfare, serve the public interest, and further the public  
38 purpose of helping to better protect our citizens from the coronavirus.

39 **"SECTION 4.14.(b)** The funds allocated in subdivision (74) of Section 3.3 of this act to the  
40 Office of State Budget and Management (OSBM) shall be used to provide grants to CAGC  
41 Foundation, Inc., (Foundation), a nonprofit organization, as follows:

- 42 (1a) The sum of \$3,000,000 in the form of a grant to the Foundation to be used to  
43 make subgrants to entities listed in subdivision (2) of this subsection and as  
44 authorized under the federal CARES Act and U.S. Treasury Department  
45 Guidance for coronavirus pandemic mitigation in the construction workplace.  
46 Mitigation efforts shall relate to health and safety measures that may include,  
47 but are not limited to, providing medical staffing and equipment needed to  
48 screen and protect individuals in the workplace, the purchase of personal  
49 protective equipment for individual worker use while on a jobsite, rapid  
50 response testing kits, implementing computer or smartphone applications that  
51 enable workers to answer daily screening questions before reporting to the

- 1 jobsite, purchase of jobsite sanitization equipment for use in disinfecting  
2 jobsites, mental health support, and other pandemic-related safety gear for  
3 construction workers. The Foundation shall determine a formula and protocols  
4 for making grants that is subject to the approval of OSBM.
- 5 (1b) The sum of \$750,000 in the form of a grant to the Foundation to be used to  
6 make subgrants to entities listed in subdivision (2) of this subsection for (i)  
7 multilingual education, training, and community outreach programs with  
8 accompanying educational materials using various media to reach  
9 construction workers, including those who lack proficiency in the English  
10 language and (ii) online and in-person construction industry job safety events  
11 related to coronavirus pandemic mitigation measures. The Foundation shall  
12 determine a formula and protocols for making grants that is subject to the  
13 approval of OSBM.
- 14 (2) The following entities are eligible to apply for grants to implement the  
15 activities authorized in this section:
- 16 a. Nonprofit organizations, including, but not limited to, trade  
17 organizations and affinity groups and churches for nonsectarian  
18 educational purposes.
- 19 b. Businesses with a physical presence in the State that did not receive  
20 other forms of federal or State coronavirus-related aid, with outreach  
21 to rural, minority-owned, and women-owned small businesses.
- 22 c. Media organizations that will produce public service materials in  
23 English and other languages related to the health, safety, and welfare  
24 of construction industry workers during the coronavirus pandemic.
- 25 d. Other entities determined eligible by OSBM to carry out the purposes  
26 of the grants in accordance with federal CARES Act requirements.  
27 This may include established grant-making organizations capable of  
28 administering Fund grants in the manner required by law.
- 29 (3) With strict guidelines to achieve adherence to the requirements of the federal  
30 CARES Act and U.S. Treasury Department guidance.
- 31 (4) In collaboration with the Department of Labor and the Department of Health  
32 and Human Services, as necessary for the full implementation of this act.
- 33 (5) All contractual and interagency agreements necessary to implement this  
34 section shall be executed within 30 days of this section becoming law.  
35

### 36 **"EMERGENCY GRANTS FOR MILK PRODUCERS**

37 **"SECTION 4.15.(a)** Findings. – The General Assembly finds that the COVID-19  
38 emergency has resulted in serious and substantial impacts on the food supply chain, including  
39 the State's dairy industry. Dairy producers and processors in the State lost more than half of their  
40 market with COVID-19 related shutdowns of the school systems and food service industries.  
41 This resulted in milk being dumped and a devastating decrease in milk pay prices, which were  
42 already at a historical low. The additional bottlenecks caused by shutdowns in the meat  
43 processing plants and lack of facilities to process dairy animals for beef left producers with no  
44 income options from the sale of cows culled from their herds. The General Assembly further  
45 finds that financial assistance to these producers is necessary in order to reduce disruptions in the  
46 supply chain for fresh dairy products and to help dairy producers in the State stay in business.

47 **"SECTION 4.15.(b)** Allocation of Funds. – The funds allocated in this act to the Department  
48 of Agriculture and Consumer Services for emergency support of milk producers shall be  
49 allocated by the Department to the North Carolina Dairy Stabilization and Growth Fund to  
50 provide grants as specified in subsection (c) of this section to compensate eligible dairy producers  
51 for losses incurred as a result of the collapse in dairy prices due to the COVID-19 pandemic or

1 to improve the resiliency and adaptability of the dairy supply chain to future pandemics. These  
2 funds may only be used for purposes consistent with the Coronavirus Relief Fund Guidance for  
3 State, Territorial, Local, and Tribal Governments provided by the United States Department of  
4 the Treasury or with any subsequent act of Congress.

5 **"SECTION 4.15.(c)** Grant Procedures. – The Department shall develop policies and  
6 procedures for the disbursement of grants that include, at a minimum, the following:

- 7 (1) Notwithstanding any provision of Article 68A of Chapter 106 of the General  
8 Statutes to the contrary, the Department shall make a monthly grant payment  
9 from the Dairy Stabilization and Growth Fund to each eligible dairy producer  
10 for any month in which the baseline price exceeds the announced price. The  
11 amount of the payment shall be the difference between the baseline price and  
12 the announced price, times the hundredweight of milk produced by the  
13 producer for each month beginning with April 2020 and continuing until the  
14 earlier of the month in which the funds appropriated by this act have been  
15 expended or December 30, 2020. Payments for months ending prior to the  
16 effective date of this act shall be included with the first monthly payment to  
17 each eligible dairy producer.
- 18 (2) The maximum grant amount provided to any producer in any month shall be  
19 twenty-five thousand dollars (\$25,000).
- 20 (3) If the funds appropriated by this act are insufficient to make a full payment to  
21 each producer in any month, the Department may either award a partial grant  
22 to each eligible producer calculated based on the ratio of available funds to  
23 needed funds or may supplement the appropriated funds with other funds  
24 available to the Department in order to award the full grant amount or a  
25 uniformly increased grant to each eligible producer.
- 26 (4) The Department may use up to one percent (1%) of the funds allocated by  
27 subdivision (76) of Section 3.3 of this act for administrative expenses related  
28 to administration of the grants authorized by this act.

29 **"SECTION 4.15.(d)** Definitions. – The following definitions apply in this act:

- 30 (1) Announced price. – The monthly Class I Milk Price for the Appalachian Milk  
31 Marketing Order area reported by the Agricultural Marketing Service of the  
32 United States Department of Agriculture.
- 33 (2) Baseline price. – Twenty dollars and thirty-eight cents (\$20.38), the average  
34 monthly Class I Milk Price for the Appalachian Milk Marketing Order area  
35 for 2019 reported by the Agricultural Marketing Service of the United States  
36 Department of Agriculture.
- 37 (3) Eligible producer. – A Grade A milk producer who can demonstrate to the  
38 satisfaction of the Department that the producer is complying with federal  
39 Grade A milk regulations.

40 **"SECTION 4.15.(e)** Report Requirements. – The Department of Agriculture and Consumer  
41 Services shall report to the Joint Legislative Oversight Committee on Agriculture and Natural  
42 and Economic Resources and the Fiscal Research Division by November 1, 2020, on its  
43 distribution of the funds appropriated by this act and by February 1, 2021, on the use of funds by  
44 recipients.

45 **"SECTION 4.15.(f)** Study. – Up to \$50,000 of the funds allocated by this section may be  
46 used by the Department to study issues arising from the COVID-19 pandemic with transportation  
47 and product diversification within the North Carolina dairy industry. The Department shall report  
48 its findings and any recommendations for legislative action to the Joint Legislative Oversight  
49 Committee on Agriculture and Natural and Economic Resources and the Fiscal Research  
50 Division no later than April 1, 2022. Nothing in this subsection shall be construed as allowing  
51 the expenditure of funds from the Coronavirus Relief Fund past December 30, 2020.

1  
2 **"SMART SCHOOL BUS SAFETY PILOT PROGRAM**

3 **"SECTION 4.16.(a)** Pilot Program; Purpose. – The Department of Public Instruction shall  
4 establish the Smart School Bus Safety Pilot Program (Program), beginning no later than  
5 November 23, 2020, and ending on or before January 1, 2024. The purpose of the Program is to  
6 transform and improve the transportation of public school students through technology in  
7 response to the COVID-19 pandemic. Nothing in this subsection shall be construed as allowing  
8 the expenditure of funds from the Coronavirus Relief Fund past December 30, 2020.

9 **"SECTION 4.16.(b)** Participation. – As part of the Program, participating local school  
10 administrative units shall identify and contract with qualifying vendors to provide technology  
11 and services for school buses in accordance with this section. The following local school  
12 administrative unit is authorized to participate in the Program, subject to the requirements of this  
13 section: Mount Airy City Schools. Any local board of education of a local school administrative  
14 unit authorized to participate in the Program may elect not to participate. For each local school  
15 administrative unit that elects not to participate in the Program, the Department may authorize  
16 one replacement local school administrative unit to participate in the Program.

17 **"SECTION 4.16.(c)** Technology and Services. – Qualifying vendors shall provide  
18 technology and services for school buses to participating local school administrative units.  
19 Participating units shall have discretion over the specific technology and services provided as  
20 long as the technology and services meet the following minimum requirements:

- 21 (1) Improve overall communications and reporting on school buses.
- 22 (2) Include automated school bus safety cameras, as defined in G.S. 115C-242.1,  
23 and on-board integration with those cameras.
- 24 (3) Enable employee time tracking, student ridership tracking, and contact tracing  
25 in the event of a COVID-19 infection.
- 26 (4) Enable global positioning system (GPS) tracking of school buses.
- 27 (5) Enable turn-by-turn navigation along bus routes.
- 28 (6) Optimize time, expenditure, and safety of bus routes.
- 29 (7) Provide pre- and post-trip vehicle inspections that may be transmitted to the  
30 Department of Public Instruction on a regular basis.
- 31 (8) Communicate ridership information to the student information management  
32 system.
- 33 (9) Permit parents or legal guardians to access applicable information.
- 34 (10) Conform to applicable guidance provided by the North Carolina Department  
35 of Health and Human Services for the transportation of students during the  
36 COVID-19 pandemic.
- 37 (11) Include implementation and project management assistance, training,  
38 radio-frequency identification technology, and check-in and check-out  
39 security stickers or other badges for students.

40 **"SECTION 4.16.(d)** Requirements and Contingencies. – The following requirements and  
41 contingencies shall apply to each participating local school administrative unit:

- 42 (1) Every school bus in a participating local school administrative unit designed  
43 for the transportation of children with disabilities shall be outfitted with  
44 technology provided pursuant to the Program as long as the technology is  
45 appropriate for children with disabilities and can be provided in a  
46 cost-effective manner.
- 47 (2) At the conclusion of the Program, all hardware provided to a participating  
48 local school administrative unit shall become the property of the unit.

49 **"SECTION 4.16.(e)** Reports. – No later than November 1 and March 1 of each year the  
50 Program is in effect, the Department of Public Instruction, in consultation with each participating  
51 local school administrative unit, shall report at least all the following information to the Joint

1 Legislative Education Oversight Committee, any committee constituted by the House of  
2 Representatives or Senate to address school safety, and the Fiscal Research Division:

- 3 (1) An itemized breakdown of software infrastructure, hardware infrastructure,  
4 and equipment provided by qualifying vendors to participating local school  
5 administrative units pursuant to the Program.
- 6 (2) A description of all services provided by qualifying vendors to participating  
7 local school administrative units pursuant to the Program.
- 8 (3) A list of qualifying vendors contracting with participating local school  
9 administrative units pursuant to the Program.
- 10 (4) The impact and effectiveness of the Program.
- 11 (5) All expenditures of State funds pursuant to the Program.

### 12 **"SPECIAL SUPPLEMENTARY GREAT ACT GRANT PROCESS**

13 **"SECTION 4.17.(a)** From the funds appropriated in Section 3.3(115) of this act, the  
14 Department of Information Technology shall provide a special supplementary grant process to  
15 accelerate the provision of broadband access through the Growing Rural Economies with Access  
16 to Technology grant program. Grants may be awarded with funds appropriated in this act for  
17 applications submitted on or before October 23, 2020. The Department shall post applications no  
18 later than October 28, 2020, and shall begin issuing awards no later than November 9, 2020. The  
19 Department shall award all grants pursuant to this act on or before December 30, 2020. Except  
20 as otherwise provided in this Part, notwithstanding any provision of G.S. 143B-1373 to the  
21 contrary, the Department may establish a final schedule and process for the special  
22 supplementary grant process.

23  
24 **"SECTION 4.17.(b)** Grant applications shall be submitted and grant funds shall be awarded  
25 pursuant to G.S. 143B-1373, with the exception of the following:

- 26 (1) The 30-day period for posting of applications on the Department's Web site in  
27 G.S. 143B-1373(e) is reduced to 10 calendar days. Protest submissions must  
28 be submitted within the 10-day period.
- 29 (2) The definition of "eligible economically distressed county" in  
30 G.S. 143B-1373(a)(5) shall include counties designated as development tier  
31 one and tier two areas, and rural census tracts located in development tier three  
32 areas, as defined in G.S. 143B-437.08. For the purposes of this subdivision,  
33 the term "rural census tract" has the same meaning as contained in  
34 G.S. 143B-472.127(a)(2). Counties with total employment of 500,000 or  
35 more, as of January 1, 2020, as measured pursuant to G.S. 143B-437.52(c)(3),  
36 are not eligible.
- 37 (3) An "eligible project" is as defined in G.S. 143B-1373(a)(6), except that a  
38 project is limited to those project areas where no more than an incidental  
39 number of households or businesses, not to exceed ten percent (10%) of the  
40 total households or businesses within the boundaries of the project area  
41 submitted by the applicant, may have terrestrially deployed Internet access  
42 service with transmission speeds greater than 10 Mbps download and 1 Mbps  
43 upload.
- 44 (4) "Infrastructure costs" in G.S. 143B-1373(a)(9) also include engineering and  
45 any other costs associated with securing a lease to locate or collocate  
46 infrastructure on public or private property or structures, but not including the  
47 actual monthly lease payment.
- 48 (5) For administering the program, the Office shall include the term "unserved  
49 household or business" which is defined as a household or business that does  
50 not presently have access to broadband service, as defined in G.S. 143B-1373.

(6) The scoring model measures contained in G.S. 143B-1373(g)(5) are replaced with the following:

a. For projects proposed in the Piedmont or Coastal Plain Regions:

<b>Est. Cost per Household/Business</b>	<b>Partnership Using Infrastructure</b>	<b>Private Provider Only</b>
---	---	------------------------------

Up to \$1,700	4	9
\$1,701-2,200	3	8
\$2,201-2,700	2	7
\$2,701-3,200	1	6

b. For projects located in the Mountain Region:

<b>Est. Cost per Household/Business</b>	<b>Partnership Using Infrastructure</b>	<b>Private Provider Only</b>
---	---	------------------------------

Up to \$2,500	4	9
\$2,501-3,300	3	8
\$3,301-3,800	2	7
\$3,801-4,300	1	6

(7) The matching fund requirements contained in G.S. 143B-1373(j) are replaced with the following:

<b>Score</b>	<b>Matching Requirement</b>
12.0 points or less	50%
Greater than 12.0 points, but less than 17.5 points	45%
17.5 points, up to 22.0 points	40%
Greater than 22.0 points	30%

Up to fifty percent (50%) of matching funds paid by the grant recipient may be comprised of third-party funding including funds from other grant programs. Funds from the Universal Service Fund shall not be used for any portion of the required matching funds. Any other current or future federal funds may be used, including any future phase of the Connect America Fund, for the required matching funds within the parameters of this program.

(8) For the purposes outlined in this act, notwithstanding G.S. 143B-1373(i), the Office shall use the following guidelines in awarding and administering grants:

Applications receiving the highest score shall receive priority status for the awarding of grants pursuant to G.S. 143B-1373. As a means of breaking a tie for applications receiving the same score, the Office shall give priority to the application proposing to serve the highest number of new households or businesses at the lowest cost per household or business. Applicants awarded grants shall enter into an agreement with the Office. The agreement shall contain all of the elements outlined in G.S. 143B-1373(d) and any other provisions the Office may require. The agreement shall contain a provision governing the time line and minimum requirements and thresholds for disbursement of grant funds measured by the progress of the project; provided, however, that an applicant awarded a grant shall, upon finalizing the agreement, receive an initial lump sum grant fund disbursement equal to the total grant award amount minus amounts assessed to the grant recipient for the matching requirement in G.S. 143B-1373(j). A grant recipient receiving the initial lump sum disbursement must provide evidence satisfactory to the Office that the recipient is financially solvent and has provided all required documentation to the Office for any prior GREAT grant application or award and an attestation that the matching funds required pursuant to G.S. 143B-1373(j) are available at the time the agreement is executed. At



1 project completion, the grant recipient shall certify and provide to the Office  
2 evidence consistent with Federal Communications Commission attestation  
3 that either speeds greater than those identified in the application guidelines or  
4 the proposed upstream and downstream broadband speeds identified in the  
5 application guidelines, and for which a base speed multiplier was awarded  
6 pursuant to G.S. 143B-1373(g)(6), are available throughout the project area  
7 prior to any end user connections. A single grant award shall not exceed two  
8 million eight hundred thousand dollars (\$2,800,000). No combination of grant  
9 awards involving any single county may exceed five million six hundred  
10 thousand dollars (\$5,600,000).

11 (9) In addition to the grant forfeiture provisions contained in G.S. 143B-1373(l),  
12 a project awarded a grant pursuant to this act shall forfeit the grant amount if  
13 the project is not completed, subject to force majeure, under the terms of the  
14 grant agreement prior to December 30, 2022. The Office may cancel an  
15 agreement and the grant recipient shall forfeit the amount of the grant received  
16 if it fails to perform, in material respect, the obligations established in the  
17 agreement. The Office may cancel an agreement for failure to perform if the  
18 grant recipient's actual performance under the agreement would have reduced  
19 the application score to the extent that the lower score would have impacted  
20 the ranking of the application in the initial scoring process.

21 (10) In addition to the base speed multiplier formula provided in  
22 G.S. 143B-1373(g)(6), projects that will provide a minimum download speed  
23 of 200 megabits per second and a minimum upload speed of 20 megabits per  
24 second (200:20 Mbps), or greater, shall have a score multiplier of two points.

25 (11) The amount of appropriated funds the Department may use for administration  
26 of the program under G.S. 143B-1373(p) is reduced to one-half percent  
27 (0.5%).  
28

## 29 **"ESTABLISH STUDENT HEALTH COLLABORATIVE PILOT PROGRAM**

30 **"SECTION 4.18.(a)** The General Assembly finds that:

- 31 (1) The COVID-19 pandemic has exerted significantly new stresses on the mental  
32 and physical well-being of students in our public schools.
- 33 (2) Public school units cannot incur additional recurring expenses in personnel.
- 34 (3) There are mental and physical support personnel available in every county in  
35 the local departments of social services.

36 **"SECTION 4.18.(b)** Of the funds allocated in subdivision (109) of Section 3.3 of this act,  
37 as amended, the Department of Health and Human Services, Division of Social Services, shall  
38 establish a student health collaborative pilot program allowing a local education agency (LEA)  
39 to collaborate with the county department of social services to assist students with their mental  
40 and physical well-being while in a public school setting in response to the COVID-19 pandemic.  
41 The Division of Social Services, in collaboration with the State Board of Education and the  
42 Department of Public Instruction, shall select at least one LEA to participate in the pilot program  
43 upon providing the required local match to funds allocated in this act for the collaborative pilot.  
44 Nothing in this subsection shall be construed as allowing the expenditure of funds from the  
45 Coronavirus Relief Fund past December 30, 2020.

46 **"SECTION 4.18.(c)** The Division of Social Services shall submit a progress report six  
47 months after implementing the pilot program established under this section to the Joint  
48 Legislative Oversight Committee on Health and Human Services, the Joint Legislative Education  
49 Oversight Committee, and the Fiscal Research Division. At a minimum, the report shall include  
50 each of the following:

- 51 (1) The number of students served by age, gender, and ethnicity.

- 1 (2) The types of services or supports provided to students, including student  
2 outcomes.  
3 (3) Total project costs, including any administrative costs.  
4 (4) The amount of funds needed to expand the program to other counties or  
5 statewide."

6 **SECTION 1.4.(a)** G.S. 105-153.5(b) reads as rewritten:

7 "(b) Other Deductions. – In calculating North Carolina taxable income, a taxpayer may  
8 deduct from the taxpayer's adjusted gross income any of the following items that are included in  
9 the taxpayer's adjusted gross income:

10 ...

- 11 (14) The amount granted to the taxpayer during the taxable year under the Extra  
12 Credit grant program. This subdivision expires for taxable years beginning on  
13 or after January 1, 2021."

14 **SECTION 1.4.(b)** Subsection (a) of this section is effective for taxable years  
15 beginning on or after January 1, 2020, and expires for taxable years beginning on or after January  
16 1, 2021.

17 **SECTION 1.4A.** Section 4.2A of S.L. 2020-4, as amended by Section 1.1(e) of S.L.  
18 2020-80, reads as rewritten:

19 **"SECTION 4.2A.(a)** Findings. – The General Assembly finds that the COVID-19  
20 emergency has resulted in serious and substantial impacts on the food supply chain. In particular,  
21 small livestock producers in the State have found that bottlenecks and lack of capacity among  
22 the small and independent meat processors who serve small livestock producers due to  
23 COVID-19 related slowdowns and capacity reductions have had a substantial negative impact on  
24 their ability to have their animals slaughtered and processed. Seafood processors lack capacity  
25 to meet increased and altered consumer demand for seafood products due to COVID-19 related  
26 changes in the market for seafood and seafood products. The General Assembly further finds that  
27 financial assistance to these processors for physical expansion and facility improvements, for  
28 workforce development, and for the creation of additional processing capacity is necessary to  
29 reduce disruptions in the supply chain for fresh meat and seafood and to help small producers get  
30 their product to market.

31 ...

32 **"SECTION 4.2A.(c)** Grant Types and Criteria. – The Department shall develop policies and  
33 procedures for the disbursement of the grants authorized by this section that include, at a  
34 minimum, the following:

- 35 (1) The Department may provide three categories of grants:

- 36 a. Capacity enhancement grant. – This grant is available to an eligible  
37 meat or seafood processing facility that is experiencing slowdowns in  
38 production or has limited capacity to accommodate increased demand  
39 for meat processing due to the COVID-19 pandemic. A capacity  
40 enhancement grant may be used for expansion of an existing eligible  
41 facility and for fixtures or equipment at an existing eligible facility that  
42 will expand animal throughput, processing capacity, the amount or  
43 type of products produced, or processing speed.  
44 b. Workforce development grant. – This grant is available to an eligible  
45 meat processing facility that is experiencing slowdowns in production  
46 or has limited capacity to accommodate increased demand for meat  
47 processing due to workforce limitations or reductions due to the  
48 COVID-19 pandemic. A workforce development grant may be used  
49 for educational and workforce training provided either by the facility  
50 or by an institution of higher education.

- c. Planning grant. – This grant is available to a nonprofit entity or institution of higher education to complete feasibility or siting studies for a new eligible meat processing facility.
- (2) Eligible facility. – For purposes of this section, an eligible meat processing facility is a ~~meat-food~~ processing facility that ~~either~~:
  - a. ~~Meets-meets~~ both of the following requirements:
    - ~~1-a.~~ The plant contracts with independent livestock producers or seafood harvesters to process animals ~~owned by the producers or seafood.~~
    - ~~2-b.~~ The United States Department of Agriculture (USDA) contracts with Department inspectors to conduct federal inspection activities authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at the plant, the plant is otherwise regulated by the ~~USDA, USDA or the FDA,~~ or the plant is a State-inspected ~~facility;~~ or
  - b. ~~Is a catfish aquaculture operation that raises and processes catfish facility.~~
- (3) The Department may prioritize projects that will create additional jobs.
- (4) Recipients shall provide matching funds for the grant in the amount of one dollar (\$1.00) from nongrant sources for every two dollars (\$2.00) provided by the grant.

...."

**SECTION 1.5.(a)** Section 4.2B(e) and (g) of S.L. 2020-4, as enacted by Section 1.1(e) of S.L. 2020-80, reads as rewritten:

**"SECTION 4.2B.(e)** Grant Program Limit. – The total of all funds granted under this Program may not exceed ~~fifteen million dollars (\$15,000,000).~~ sixty million five hundred thousand dollars (\$60,500,000). The Economic Investment Committee must calculate the total amount of grants requested from the applications timely filed under subsection (f) of this section. If the total amount of grants requested exceeds the maximum amount of funds available under this subsection, the Committee must reduce each grant award on a proportionate basis. The Committee's grant determinations based on applications timely filed are final.

...

**"SECTION 4.2B.(g)** Definitions. – The following definitions apply in this section:

...

- (7) Nonprofit. – An entity exempt from income tax under ~~G.S. 105-130.11(a)(3)~~ or G.S. 105-130.11(a)(6). ~~G.S. 105-130.11(a)(3), (a)(4), and (a)(6).~~

...."

**SECTION 1.5.(b)** Section 4.2B of S.L. 2020-4, as enacted by Section 1.1(e) of S.L. 2020-80, is amended by adding two new subsections to read:

**"SECTION 4.2B.(h)** Round II for Small Businesses and Nonprofits. – If the Economic Investment Committee determines that the total amount of grants requested from the applications filed on or before September 1, 2020, do not exceed the maximum amount of funds available under subsection (e) of this section, then the Job Retention Grant Program is extended for an additional round of applications. The provisions of this section apply to Round II of the Program grants, except as modified below:

- (1) The total of all funds granted under Round II may not exceed sixty million five hundred thousand dollars (\$60,500,000) less the amount granted in Round I. The Economic Investment Committee must calculate the total amount of grants requested from the applications timely filed under this subsection. If the total amount of grants requested exceeds the maximum amount of funds available under this subsection, the Committee must reduce each grant award on a proportionate basis. The Committee's grant determinations based on applications timely filed are final.

- 1 (2) A business or nonprofit is eligible for a grant under Round II if it meets all the  
2 following conditions:
- 3 a. Had 20 or fewer full-time employees, or full-time equivalent  
4 employees, during the COVID-19 period in North Carolina.
- 5 b. The number of full-time employees, or full-time equivalent  
6 employees, it employed during the COVID-19 period in North  
7 Carolina was not reduced by more than two from the number it  
8 employed in North Carolina for the pay period ending on or about  
9 February 28, 2020.
- 10 c. Experienced an economic loss as provided under subsection (c)(2) of  
11 this section.
- 12 d. Did not participate in the programs listed under subsection (c)(3) of  
13 this section.
- 14 (3) The application for a grant under Round II of the Program must be filed with  
15 the Economic Investment Committee on or before Friday, September 25,  
16 2020. The Committee may not accept late applications. An application  
17 submitted by a business or nonprofit with 20 or fewer full-time employees  
18 under Round I of the Program that was found ineligible solely for failure to  
19 meet the job retention requirement of Section 4.2B(c)(1) will be reconsidered  
20 under Round II of the Program without further action on the part of the  
21 applicant.
- 22 (4) A business or nonprofit may only receive one grant under this Program.
- 23 **"SECTION 4.2B.(i)** The Office of Historically Underutilized Businesses, Department of  
24 Administration, is directed to inform and educate minority-owned businesses that may be eligible  
25 to apply for the grants provided by this Program as soon as practicable so they may have the  
26 opportunity to access the grants provided by it."
- 27 **SECTION 1.6.** Section 4.2 of S.L. 2020-4 reads as rewritten:
- 28 **"SECTION 4.2.(a)** Program. – Of the funds allocated in subdivision (45) of Section 3.3 of  
29 this act, Golden LEAF shall provide grants to entities for the purpose of making emergency loans  
30 to assist small businesses with business needs during periods of economic hardship occasioned  
31 by the COVID-19 pandemic. It is the intent of the General Assembly for an equitable portion of  
32 funds allocated in this section to be used for the benefit of historically underutilized small  
33 businesses. The following shall apply to the program and loans made under the program:
- 34 (1) Golden LEAF shall require a lender to provide assistance to, or direct to an  
35 appropriate entity that provides assistance to, a qualifying business with  
36 applying for available federal assistance.
- 37 (2) Golden LEAF shall require a lender to prioritize loans for establishments (i)  
38 with ~~400~~150 or fewer full-time equivalent employees determined as of the  
39 State of Emergency (ii) that are independently owned by a qualifying  
40 business.
- 41 (3) Golden LEAF shall work with the N.C. Small Business Center Network, the  
42 Office of Historically Underutilized Businesses within the Department of  
43 Administration, the N.C. Small Business and Technology Development  
44 Center, the North Carolina Institute of Minority Economic Development, Inc.,  
45 and other similar entities with the goal of ensuring all qualifying businesses  
46 are aware of the program.
- 47 (3a) Golden LEAF may use up to two million dollars (\$2,000,000) to provide  
48 grants for the purpose of providing technical assistance to businesses working  
49 to apply for a loan from the program authorized by this section or for other  
50 federal assistance programs.

- 1 (4) The loan shall have an interest rate of up to four percent (4%) before the date
- 2 of a triggering event and an interest rate of at least five and one-half percent
- 3 (5.5%) on and after the date of a triggering event.
- 4 (5) The term of the loan shall not exceed ~~66~~120 months and shall be amortized
- 5 over the term of the loan.
- 6 (6) A qualifying business shall certify in writing that it will use a loan provided
- 7 under the program for employee compensation, mortgage, rent, utilities, and
- 8 other operating costs and expenses incurred on behalf of a business located in
- 9 this State.
- 10 (7) A loan provided under the program is limited to no more than two hundred
- 11 fifty thousand dollars ~~(\$50,000)~~ ~~(\$250,000)~~ per qualifying business.
- 12 (8) Upon the occurrence of a triggering event, repayment of the loan shall
- 13 commence. A triggering event occurs ~~six~~18 months following the closing of
- 14 a loan made under the program.
- 15 (9) Loans are made pursuant to an agreement with a qualifying business that
- 16 includes at least the following:
- 17 a. A provision requiring a qualifying business to certify in writing that it
- 18 will use a loan provided under the program for employee compensation, mortgage, rent, utilities, and other operating costs and
- 19 expenses incurred on behalf of a business located in this State.
- 20 b. A provision establishing the method for determining compliance with
- 21 the program.
- 22 c. A provision requiring the qualifying business to first repay the loan
- 23 amount with any federal assistance received by the business that
- 24 represents a duplication of benefits; provided, that the repayment does
- 25 not disqualify or impair the federal assistance available to the business.
- 26 d. A provision requiring the loan is secured through a Uniform
- 27 Commercial Code financing statement.
- 28 e. A provision requiring recapture of loan funds if a business fails to
- 29 comply with the requirements of the program. The lender shall
- 30 recapture loan funds only if the lender determines there is a reasonable
- 31 expectation that the recovery of funds will exceed the cost of recovery.
- 32
- 33 (10) The awarding of new loans using State funds appropriated in this section shall
- 34 cease ~~upon six months following the date the State of Emergency ends.~~on the
- 35 latest date allowable under applicable federal law.

36 **"SECTION 4.2.(b)** Definitions. – For purposes of this section, the following definitions  
 37 apply:

- 38 (1) Compensation. – Defined in section 3401 of the Internal Revenue Code.
- 39 (2) Employee. – Defined in G.S. 143B-437.02A.
- 40 (3) Golden LEAF. – The Golden L.E.A.F. (Long-Term Economic Advancement
- 41 Foundation), Inc.
- 42 (4) Net loan funds. – The total loan fund allocation authorized in subdivision (45)
- 43 of Section 3.3 of this act less (i) the amount used in accordance with
- 44 subdivision (a)(3a) of this section, (ii) the cost of administering the loans made
- 45 under the program, not to exceed five percent (5%) of the total amount loaned
- 46 under the program, ~~and~~ ~~(iii) the State's loan funds that are not~~
- 47 ~~recaptured.~~ recaptured, and (iv) expenses incurred to recapture loan funds.
- 48 (5) Office. – The Office of State Budget and Management.
- 49 (6) Qualifying business. – A business with a physical presence in the State that is
- 50 able to show economic losses as a result of COVID-19.

1 (7) State of Emergency. – Executive Order No. 116 issued March 10, 2020, by  
2 Governor Roy A. Cooper, including any amendments issued by executive  
3 order.

4 **"SECTION 4.2.(c)** Miscellaneous. – In order to receive the funds appropriated under this  
5 act, Golden LEAF shall provide matching funds from other non-State funds for such funds in the  
6 amount of fifteen dollars (\$15.00) of non-State funds for every one hundred twenty-five dollars  
7 (\$125.00) of State funds allocated in this section. State funds allocated in this section may be  
8 matched with any prior expenditure by Golden LEAF of non-State funds for entities making  
9 short-term loans to businesses during periods of economic hardship occasioned by the  
10 COVID-19 pandemic. ~~Six months following the date the State of Emergency ends~~ On the date  
11 the authority to award new loans using State funds appropriated in this section ceases and every  
12 six months thereafter, Golden LEAF shall remit the net loan funds that have been received to the  
13 Office, which shall deposit the funds into the Coronavirus Relief Reserve. Amounts deposited  
14 into the Reserve under this subsection are receipts that do not constitute an "appropriation made  
15 by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.  
16 Section 1.5 of this act does not apply to this section.

17 **"SECTION 4.2.(d)** Reporting. – Every six months, Golden LEAF shall submit a report on  
18 the program to the Joint Legislative Economic Development and Global Engagement Oversight  
19 Committee and the Fiscal Research Division. The duty to report pursuant to this section shall  
20 cease after the submission of the report following when Golden LEAF has remitted the entirety  
21 of the net loan funds to the Office. Each report shall contain all of the following:

- 22 (1) The number of recipients of loans for each represented North American  
23 Industry Classification System Code.
- 24 (2) The number of jobs retained.
- 25 (3) The number of loans awarded.
- 26 (4) The average loan amount.
- 27 (5) The total amount loaned to date.
- 28 (6) The total amount of loans repaid to date.
- 29 (7) The total amount of loans defaulted on to date.
- 30 (8) The total amount of loans defaulted that have been recaptured."

31 **SECTION 1.6A.** G.S. 96-14.2 is amended by adding a new subsection to read:

32 **"(e) COVID-19 Increased Benefit Amount.** – The weekly benefit amount calculated under  
33 this section shall be increased by fifty dollars (\$50.00). The increased benefit amount is payable  
34 for weeks beginning on or after September 5, 2020. The increased benefit amount expires and  
35 will not be paid for weeks (i) beginning on or after December 26, 2020, or (ii) immediately  
36 following the week that fully expends the amount allocated by the General Assembly for this  
37 purpose under Section 3.3(75) of S.L. 2020-4, as amended by House Bill 1105, 2019 Regular  
38 Session, whichever occurs first."

39 **SECTION 1.7.(a)** Notwithstanding the provisions of G.S. 143-57, State  
40 departments, institutions, and agencies subject to Article 3 of Chapter 143 of the General Statutes  
41 may obtain in the open market necessary supplies, materials, equipment, printing, or services to  
42 address the COVID-19 pandemic, including purchases that exceed the benchmark established  
43 under G.S. 143-53.1, without the authorization or approval of the Secretary of Administration. A  
44 report on COVID-19 expenditures shall be made a matter of record promptly after the  
45 expenditures have been made. If the expenditure exceeds the benchmark established under  
46 G.S. 143-53.1, the report shall also be made promptly thereafter to the Division of Purchase and  
47 Contract. For purposes of this subsection, the term "COVID-19" means the coronavirus disease  
48 2019.

49 **SECTION 1.7.(b)** This section applies to all contracts entered into on or after the  
50 date it becomes law and expires on December 30, 2020.

1           **SECTION 1.8.(a)** If additional federal relief and recovery funds related to the  
2 COVID-19 pandemic are made available through subsequent federal legislation, and the  
3 following uses are permitted under the federal legislation, it is the intent of the General Assembly  
4 to do the following:

- 5           (1) Appropriate the sum of three hundred million dollars (\$300,000,000) in  
6 nonrecurring funds made available by the federal legislation to the  
7 Department of Transportation for the purpose of replacing lost revenue due to  
8 the COVID-19 pandemic.
- 9           (2) Appropriate the sum of thirty-one million five hundred thousand dollars  
10 (\$31,500,000) in nonrecurring funds made available by the federal legislation  
11 to the State Capital and Infrastructure Fund for the purpose of providing  
12 funding for the following projects:
  - 13           a. The Business School at the University of North Carolina at Chapel  
14 Hill.
  - 15           b. The Nursing School Renovation at the University of North Carolina at  
16 Chapel Hill.
  - 17           c. The STEM Building at North Carolina State University.
  - 18           d. Repairs and renovations in accordance with G.S. 143C-8-13.

19           **SECTION 1.8.(b)** Section 2 of S.L. 2020-81 is repealed.

20           **SECTION 1.9.(a)** Findings and Purpose. – The General Assembly finds that the  
21 appropriations made in this act are made at the maximum funding levels required to carry out  
22 activities, purposes, and programs. Therefore, it is likely that some amount of funds may become  
23 available to support other uses authorized by this act if and when maximum spending levels are  
24 not reached. The purpose of this section is to authorize the reallocations of certain funds to the  
25 end that the State and its people receive the maximum benefit possible from the appropriations  
26 made in this act.

27           **SECTION 1.9.(b)** Requirements. – Notwithstanding any provision of this act or  
28 Chapter 143C of the General Statutes to the contrary, the North Carolina Pandemic Recovery  
29 Office (NCPRO), in consultation with the Director of the Budget, may reallocate Coronavirus  
30 Relief Funds appropriated by this act or any of the acts listed in Section 4.2 of this act under all  
31 of the following conditions only:

- 32           (1) The appropriated funds are unexpended on November 20, 2020.
- 33           (2) There is not a reasonable expectation that the funds will be expended before  
34 the deadline established by applicable federal law or guidance.
- 35           (3) The reallocation is made to support one or more COVID-19 related activities  
36 authorized and receiving appropriations under this act or one of the acts listed  
37 in Section 4.2 of this act. Reallocated funds shall not be used for any new  
38 activity, purpose, or program.
- 39           (4) To the extent that funds reallocated pursuant to this section are  
40 unappropriated, including interest accrual exceeding what is anticipated in this  
41 act, those funds are hereby appropriated and available for use pursuant to this  
42 section.

43           **SECTION 1.9.(c)** Reporting. – Beginning November 30, 2020, the Office of State  
44 Budget and Management shall report to the Fiscal Research Division weekly on the reallocations  
45 made pursuant to this section.

## 46 **PART II. DISASTER RECOVERY**

### 47 **CREATION OF EARTHQUAKE DISASTER RECOVERY RESERVE**

48           **SECTION 2.1.** The State Controller shall establish an Earthquake Disaster Recovery  
49 Reserve in the State General Fund to maintain funds reserved for disaster recovery in this Part.  
50  
51

1 The State Controller shall transfer funds to the Earthquake Disaster Recovery Fund only as  
2 needed to meet the appropriations set out in this Part or other related acts of the General Assembly  
3 and only upon request by the Director of the Budget. Funds shall remain in the Reserve until  
4 funds are needed to comply with the allocations as set forth in this Part. Funds reserved in the  
5 Reserve do not constitute an "appropriation made by law," as that phrase is used in Section 7(1)  
6 of Article V of the North Carolina Constitution.

## 7 8 **CREATION OF EARTHQUAKE DISASTER RECOVERY FUND**

9 **SECTION 2.2.(a)** The Earthquake Disaster Recovery Fund is established. The  
10 purpose of the Fund is to provide necessary and appropriate relief and assistance from the effects  
11 of the M5.1 earthquake that occurred on August 9, 2020, in Alleghany County, North Carolina,  
12 consistent with the provisions of this Part. The Fund shall be maintained as a special fund and  
13 administered by the Office of State Budget and Management or by another State agency, as  
14 determined by the Governor, to carry out the provisions of this Part. All State and federal funds  
15 appropriated for earthquake relief and recovery efforts shall be budgeted and accounted for in  
16 the Fund established in this section.

17 **SECTION 2.2.(b)** Funds shall be drawn from the Fund only as needed upon  
18 justification by a State agency as evidence of the need for funds is determined for earthquake  
19 recovery efforts in Alleghany County.

20 **SECTION 2.2.(c)** Funds in the Fund that are not expended, made subject to an  
21 encumbrance, or disbursed shall remain available to implement the provisions of this Part until  
22 the General Assembly directs the reversion of the unexpended funds. Funds received by a State  
23 agency from the Fund that are not expended, made subject to an encumbrance, or disbursed to  
24 another entity at the end of each fiscal year shall revert to the Fund. Funds received by a non-State  
25 entity from the Fund that, after three years, are not expended, made subject to an encumbrance,  
26 or disbursed to a subgrantee shall be returned to the Fund.

27 **SECTION 2.2.(d)** The funds are to be spent only for earthquake relief and recovery  
28 efforts in Alleghany County, and in any counties that are (i) part of the emergency area set forth  
29 in any gubernatorial executive order or (ii) declared as a major disaster by the President of the  
30 United States under the Stafford Act (P.L. 93-288) as a result of the earthquake.

## 31 32 **TRANSFERS OF FUNDS FOR EARTHQUAKE DISASTER RELIEF**

33 **SECTION 2.3.(a)** The State Controller shall transfer the sum of twenty-four million  
34 dollars (\$24,000,000) for the 2020-2021 fiscal year from the Savings Reserve in the General  
35 Fund to the Earthquake Disaster Recovery Reserve established in Section 2.1 of this act.

36 **SECTION 2.3.(b)** The State Controller shall transfer the sum of twenty-four million  
37 dollars (\$24,000,000) for the 2020-2021 fiscal year from the Earthquake Disaster Recovery  
38 Reserve established in Section 2.1 of this act, to the Earthquake Disaster Recovery Fund  
39 established in Section 2.2 of this act.

## 40 41 **APPROPRIATION AND ALLOCATION OF FUNDS FOR EARTHQUAKE DISASTER 42 RELIEF**

43 **SECTION 2.4.** There is appropriated from the Earthquake Disaster Recovery Fund  
44 the sum of twenty-four million dollars (\$24,000,000) in nonrecurring funds for the 2020-2021  
45 fiscal year to the Department of Public Safety, Division of Emergency Management to allocate  
46 as follows:

- 47 (1) \$600,013 to Alleghany County for repairs and renovations for the county  
48 courthouse caused by damages from the earthquake.
- 49 (2) \$160,000 to the Bruce Wayne Osbourne Post No. 7034, Veterans of Foreign  
50 Wars of the United States, a nonprofit corporation, to repair damage to the



- 1 Veterans of Foreign Wars Post No. 7034 building located in Alleghany  
2 County caused by the earthquake.
- 3 (3) The remainder of the funds appropriated in this section shall be used for the  
4 following purposes related to the effects of the earthquake:
- 5 a. Short-term housing.
  - 6 b. Short-term rental assistance.
  - 7 c. Demolition for reconstruction.
  - 8 d. Home reconstruction.
  - 9 e. Septic system reconstruction.
  - 10 f. Home repair reimbursements.
  - 11 g. County and municipal water and sewer repair.
  - 12 h. Other county assistance.
  - 13 i. Other earthquake-related recovery efforts.
  - 14 j. State and county project management administration.
  - 15 k. State match for federal disaster assistance programs.
- 16 (4) Funds allocated under subdivision (3) of this section shall not be used to  
17 provide grants to for-profit businesses through a disaster recovery grant  
18 program.  
19

## 20 REIMBURSEMENT FOR FUNDS PROVIDED FOR EARTHQUAKE DISASTER 21 RELIEF

22 **SECTION 2.5.(a)** A recipient of State funds under Section 2.4 of this act shall use  
23 best efforts and take all reasonable steps to obtain alternative funds that cover the losses or needs  
24 for which the State funds are provided, including funds from insurance policies in effect and  
25 available federal aid. State funds paid under this act are declared to be excess over funds received  
26 by a recipient from the settlement of a claim for loss or damage covered under the recipient's  
27 applicable insurance policy in effect.

28 **SECTION 2.5.(b)** If a recipient obtains alternative funds pursuant to subsection (a)  
29 of this section, the recipient shall remit the funds to the State agency from which the State funds  
30 were received. A recipient is not required to remit any amount in excess of the State funds  
31 provided to the recipient under this act. The State agency shall transfer these funds to the  
32 Earthquake Disaster Recovery Fund. Funds deposited into the Fund under this subsection are  
33 receipts that do not constitute an "appropriation made by law," as that phrase is used in Section  
34 7(1) of Article V of the North Carolina Constitution.

35 **SECTION 2.5.(c)** Any contract or other instrument entered into by a recipient for  
36 receipt of funds under this act shall include the requirements set forth in subsections (a) and (b)  
37 of this section.

38 **SECTION 2.5.(d)** For purposes of this section, the term "recipient" means a local  
39 political subdivision of the State, a State agency, a State department, or a non-State entity.  
40

## 41 APPROPRIATION AND ALLOCATION OF FUNDS FOR HURRICANE DISASTER 42 RELIEF

43 **SECTION 2.6.(a)** Hurricane Florence Disaster Recovery Reserve. – The State  
44 Controller shall transfer the sum of twenty-seven million seven hundred ninety-six thousand six  
45 hundred ten dollars (\$27,796,610) from the Savings Reserve in the General Fund to the Hurricane  
46 Florence Disaster Recovery Reserve created in S.L. 2018-136.

47 **SECTION 2.6.(b)** Hurricane Florence Disaster Recovery Fund. – The State  
48 Controller shall transfer the sum of twenty-seven million seven hundred ninety-six thousand six  
49 hundred ten dollars (\$27,796,610) from the Hurricane Florence Disaster Recovery Reserve to the  
50 Hurricane Florence Disaster Recovery Fund created in S.L. 2018-134 for the Department of

1 Public Safety and those funds are appropriated within the Fund to be used to provide State match  
2 for Hurricane Florence federal disaster assistance programs.

3 **SECTION 2.6.(c)** Allocation. – Of the funds appropriated in subsection (b) of this  
4 section to the Hurricane Florence Disaster Recovery Fund the sum of three hundred thousand  
5 dollars (\$300,000) is allocated to the Office of State Budget and Management to provide a grant  
6 to the Town of Bladenboro for the demolition, reconstruction, and repair of public infrastructure  
7 and public buildings damaged by Hurricane Florence.

8 **SECTION 2.6.(d)** State Emergency Response and Disaster Relief Fund. – The State  
9 Controller shall transfer the sum of thirteen million two hundred three thousand three hundred  
10 ninety dollars (\$13,203,390) from the Savings Reserve in the General Fund to the State  
11 Emergency Response and Disaster Relief Fund and those funds are appropriated for the  
12 Department of Public Safety, Division of Emergency Management, to be used as follows:

- 13 (1) \$10,423,729 to provide State match for federal disaster assistance programs  
14 related to Hurricane Matthew.
- 15 (2) \$2,779,661 to provide State match for federal disaster assistance programs  
16 related to Hurricane Dorian.

17 **SECTION 2.6.(e)** Other Disaster Relief. – The sum of up to three million five  
18 hundred thousand dollars (\$3,500,000) is reallocated and appropriated from the cash balance of  
19 the State Emergency Response and Disaster Relief Fund to the Department of Public Safety,  
20 Division of Emergency Management, to provide State match for federal disaster assistance  
21 programs related to Hurricane Isaias, as approved by the Federal Emergency Management  
22 Agency in EM-3534-NC on August 2, 2020, as a federal disaster.

## 23 24 **APPROPRIATION OF FEDERAL FUNDS**

25 **SECTION 2.7.** Appropriation/Federal Funds. – Funds received on or after  
26 September 1, 2020, under the federal Stafford Act (P.L. 93-288) and other federal disaster  
27 assistance programs for State disasters as a result of Hurricanes Florence, Dorian, Matthew, or  
28 Isaias, or the earthquake described in Section 2.2(a) of this act, are appropriated in the amounts  
29 provided in the notifications of award from the federal government or any entity acting on behalf  
30 of the federal government to administer federal disaster recovery funds. The Office of State  
31 Budget and Management and affected State agencies shall report all notifications of award to the  
32 Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of  
33 the General Assembly.

## 34 35 **REPORTING REQUIREMENTS**

36 **SECTION 2.8.** Beginning January 1, 2021, the Department of Public Safety,  
37 Division of Emergency Management (Division), shall report to the Chairs of the House of  
38 Representatives and Senate Appropriations Committees and to the Fiscal Research Division of  
39 the General Assembly on the implementation of Section 2.4 and Section 2.6(e) of this Part on a  
40 quarterly basis and shall also provide any additional reports or information requested by the  
41 Fiscal Research Division. The final report is due on January 1, 2022. Each report required by this  
42 section shall include information about all funds expended or encumbered pursuant to Section  
43 2.4 and Section 2.6(e) as of the date of the report, regardless of which State agency or non-State  
44 entity administers the funds. Non-State entities that administer or receive any funds appropriated  
45 in this act shall assist and fully cooperate with the Division in meeting the Division's obligations  
46 under this section.

## 47 48 **PART III. OTHER REVISIONS OF LAW**

## 49 50 **AVERAGE DAILY MEMBERSHIP/HOLD HARMLESS**

1           **SECTION 3.1.** Notwithstanding Section 7.15(b) of S.L. 2007-323, for the  
2 2020-2021 fiscal year, the following applies:

- 3           (1) In making adjustments pursuant to G.S. 115C-75.10, 115C-218.105,  
4 115C-238.70, 115C-238.82, 116-239.11, and Section 8.35(e) of S.L.  
5 2014-100, as amended by Section 7.13 of S.L. 2018-5, the State Board of  
6 Education shall not reduce allocations to applicable public school units due to  
7 a discrepancy between their actual and anticipated average daily membership.  
8           (2) After funding adjustments are made pursuant to subdivision (1) of this section,  
9 the State Board of Education shall not reduce allotments for local school  
10 administrative units due to a discrepancy between actual and anticipated  
11 average daily membership.  
12

13 **REVISE DEFINITION OF ADM IN PRINCIPAL SALARY SCHEDULE TO CONTINUE**  
14 **USING MEMBERSHIP AMOUNTS FROM THE 2019-2020 SCHOOL YEAR**

15           **SECTION 3.1A.** Section 4.(b) of S.L. 2020-45 reads as rewritten:

16           "**SECTION 4.(b)** For purposes of determining the average daily membership of a principal's  
17 school, ~~the following amounts shall be used during the following time periods:~~

- 18           (1) ~~Between July 1, 2020, and December 31, 2020, the average daily membership~~  
19 ~~for the school from the 2019-2020 school year-year shall be used.~~ If the school  
20 did not have an average daily membership in the 2019-2020 school year, the  
21 projected average daily membership for the school for the 2020-2021 school  
22 year-year shall be used.  
23           (2) ~~Between January 1, 2021, and June 30, 2021, the average daily membership~~  
24 ~~for the school for the 2020-2021 school year."~~  
25

26 **VIRTUAL CHARTER SCHOOL ENROLLMENT**

27           **SECTION 3.2.(a)** Notwithstanding Section 8.35(b) of S.L. 2014-100, as amended  
28 by Section 7.13 of S.L. 2018-5, the two virtual charter schools participating in the pilot program  
29 pursuant to Section 8.35 of S.L. 2014-100, as amended, shall be permitted to increase student  
30 enrollment for the 2020-2021 school year only as follows: (i) North Carolina Cyber Academy  
31 shall be permitted to increase its enrollment by 1,000 students and (ii) North Carolina Virtual  
32 Academy shall be permitted to increase its enrollment by 2,800 students. A virtual charter school  
33 permitted an increase in student enrollment pursuant to this section shall give enrollment priority  
34 to students for the 2021-2022 school year who were enrolled in the school for the 2020-2021  
35 school year prior to the date this act became law.

36           **SECTION 3.2.(b)** The virtual charter schools shall provide an interim report by  
37 March 15, 2021, and a final report by November 15, 2021, to the Joint Legislative Education  
38 Oversight Committee, on the impact of the increase in student enrollment permitted by  
39 subsection (a) of this section, including data on where students had been previously enrolled by  
40 local school administrative unit, charter school, or nonpublic school, the grade level of students,  
41 the withdrawal rate of students after enrollment, and any student performance and accountability  
42 data.  
43

44 **CHANGES TO THE OPPORTUNITY SCHOLARSHIP GRANT PROGRAM**

45           **SECTION 3.3.(a)** Remove Cap on K-1 Grade Funds. – G.S. 115C-562.2(a) reads as  
46 rewritten:

47           "(a) The Authority shall make available no later than February 1 annually applications to  
48 eligible students for the award of scholarship grants to attend any nonpublic school. Information  
49 about scholarship grants and the application process shall be made available on the Authority's  
50 Web site. Beginning March 15, the Authority shall begin awarding scholarship grants according  
51 to the following criteria:

- 1 (1) First priority shall be given to eligible students who received a scholarship  
2 grant for the school year prior to the school year for which the students are  
3 applying if those students have applied by March 1.
- 4 (2) After scholarship grants have been awarded to prior recipients as provided in  
5 subdivision (1) of this subsection, scholarships shall be awarded with  
6 remaining funds as follows:
- 7 a. At least fifty percent (50%) of the remaining funds shall be used to  
8 award scholarship grants to eligible students residing in households  
9 with an income level not in excess of the amount required for the  
10 student to qualify for the federal free or reduced-price lunch program.
- 11 ~~b. No more than forty percent (40%) of the remaining funds shall be used  
12 to award scholarship grants to eligible students entering either  
13 kindergarten or first grade.~~
- 14 c. Any remaining funds shall be used to award scholarship grants to all  
15 other eligible students."

16 **SECTION 3.3.(b)** Applicability of Removing the K-1 Grade Cap. – Subsection (a)  
17 of this section applies beginning with applications for scholarship grants for the 2020-2021  
18 school year. From the funds made available pursuant to subsection (a) of this section, the State  
19 Education Assistance Authority shall award scholarship funds for the fall semester of the  
20 2020-2021 school year to provide an alternative educational option during the coronavirus  
21 disease 2019 (COVID-19) pandemic to eligible students who (i) had applied for scholarship  
22 funds for the 2020-2021 school year within the application deadlines established by the Authority  
23 and (ii) had not been awarded scholarship funds as of the date this act becomes law.

24 **SECTION 3.3.(c)** Change to Income Eligibility Threshold. – G.S. 115C-562.1(3)b.  
25 reads as rewritten:

- 26 "b. Resides in a household with an income level not in excess of ~~one~~  
27 ~~hundred thirty-three percent (133%)~~ one hundred fifty percent (150%)  
28 of the amount required for the student to qualify for the federal free or  
29 reduced-price lunch program. The Authority shall not count any  
30 distribution from the estate of a decedent in calculating the income  
31 level of the applicant's household for the purposes of determining  
32 eligibility for a scholarship under this sub-subdivision."

33 **SECTION 3.3.(d)** Applicability of Change to Income Eligibility Threshold. –  
34 Subsection (c) of this section applies beginning with applications for the spring semester of the  
35 2020-2021 school year.

### 37 NC PATRIOT STAR FAMILY SCHOLARSHIP PROGRAM

38 **SECTION 3.4.(a)** Transfer of Funds. – By October 1, 2020, the Department of  
39 Public Instruction shall transfer the sum of one million dollars (\$1,000,000) in nonrecurring funds  
40 from the cash balance in the School Bus Replacement Fund (Budget Code: 73510; Fund Code:  
41 7200) to UNC System Office (Budget Code: 16015).

42 **SECTION 3.4.(b)** Appropriation of Funds. – The funds transferred in subsection (a)  
43 of this section are appropriated to the Board of Governors of The University of North Carolina  
44 for the 2020-2021 fiscal year to be allocated by the Board of Governors as grants to establish and  
45 administer the North Carolina Patriot Star Family Scholarship Program in accordance with this  
46 section as follows:

- 47 (1) The sum of five hundred thousand dollars (\$500,000) to the Patriot  
48 Foundation, a nonprofit corporation.
- 49 (2) The sum of five hundred thousand dollars (\$500,000) to the Marine Corps  
50 Scholarship Foundation, Inc., a nonprofit corporation.

1           **SECTION 3.4.(c)** Establishment of the Scholarship Program. – From the funds  
2 appropriated for the North Carolina Patriot Star Family Scholarship Program (Program) by  
3 subsection (b) of this section, the Patriot Foundation and the Marine Corps Scholarship  
4 Foundation, Inc., respectively, shall provide for scholarships to eligible children and eligible  
5 spouses of certain veterans and eligible children of certain currently serving members of the  
6 Armed Forces to attend eligible postsecondary institutions in accordance with the requirements  
7 of this section.

8           **SECTION 3.4.(d)** Definitions. – For the purposes of this section, the following  
9 definitions apply:

10           (1) Armed Forces. – A component of the United States Army, Navy, Marine  
11 Corps, Air Force, and Coast Guard, including their reserve components.

12           (2) Eligible child or eligible children. – Any person (i) who is attending or has  
13 been accepted to enroll in an eligible postsecondary institution, (ii) who is a  
14 legal resident of North Carolina when scholarship documentation is  
15 completed, provided that if a child is claimed as a dependent by the child's  
16 parent, residency may be established based on a parent meeting  
17 sub-sub-subdivision 4. of sub-subdivision a. of this subdivision, (iii) has  
18 complied with the requirements of the Selective Service System, if applicable,  
19 and (iv) whose parent is a veteran or a currently serving member of the Armed  
20 Forces that meets the following:

21           a. Meets one of the following residency conditions:

- 22           1. Is a resident of North Carolina at the time of scholarship  
23 documentation completion.
- 24           2. Was a resident of North Carolina at the time of entrance into  
25 service in the Armed Forces.
- 26           3. Was permanently stationed in North Carolina at the time of his  
27 or her death.
- 28           4. Is an active duty service member permanently stationed in  
29 North Carolina at the time of documentation completion.

30           b. Meets one of the following service conditions:

- 31           1. Was a member of the Armed Forces who was killed in action  
32 or in the line of duty, or died of wounds or other causes not due  
33 to the service member's willful misconduct during a period of  
34 war or national emergency.
- 35           2. Was a member of the Armed Forces who died of  
36 service-connected injuries, wounds, illness, or other causes  
37 incurred or aggravated while a member of the Armed Forces  
38 during a period of war or national emergency. Standard  
39 documentation of the parent's death, wounds, injury, or illness  
40 must be supplied by a scholarship recipient at the time of  
41 scholarship request.
- 42           3. Is a veteran of the Armed Forces who incurred traumatic  
43 injuries or wounds or sustained a major illness while a member  
44 of the Armed Forces during a period of war or national  
45 emergency and is receiving compensation for a wartime  
46 service-connected disability of at least fifty percent (50%) as  
47 rated by the U.S. Department of Veterans Affairs.
- 48           4. Is a current member of the Armed Forces who incurred  
49 traumatic injuries or wounds or sustained a major illness while  
50 a member of the Armed Forces during a period of war or  
51 national emergency. The parent's traumatic wounds, injury, or

1 major illness must be documented by the U.S. Department of  
2 Defense.

- 3 (3) Eligible spouse. – Any person (i) who is attending or has been accepted to  
4 enroll in an eligible postsecondary institution, (ii) who is a legal resident of  
5 North Carolina when scholarship documentation is completed, (iii) has  
6 complied with the requirements of the Selective Service System, if applicable,  
7 and (iv) whose spouse was a member of the Armed Forces who was killed in  
8 action or in the line of duty, or died of wounds or other causes not due to the  
9 service member's willful misconduct during a period of war or national  
10 emergency.
- 11 (4) Eligible postsecondary institution. – A school that is any of the following:  
12 a. A constituent institution of The University of North Carolina.  
13 b. A community college under the jurisdiction of the State Board of  
14 Community Colleges.  
15 c. A private educational institution as defined in G.S. 143B-1224.  
16 d. An accredited, private vocational institution.
- 17 (5) Veteran. – An individual who has served and is no longer serving in the Armed  
18 Forces of the United States. For the purposes of this section, the veteran must  
19 have separated from the Armed Forces under honorable conditions or whose  
20 death or disability of at least fifty percent (50%) or more was incurred as a  
21 direct result of service in the line of duty.

22 **SECTION 3.4.(e)** Administration; Awards. – Within the funds made available for  
23 the Program, the Patriot Foundation and the Marine Corps Scholarship Foundation shall each  
24 separately administer and award scholarships to eligible children and eligible spouses in  
25 accordance with the requirements of the North Carolina Patriot Star Family Scholarship Program.  
26 In administering the Program, each nonprofit corporation shall be responsible for program  
27 oversight for the scholarships awarded through its organization to ensure compliance with the  
28 provisions of this section.

29 Each nonprofit corporation shall, at a minimum, establish criteria and procedures  
30 related to scholarship documentation completion, the amount of individual scholarships, the  
31 permissible uses of scholarship funds, the period of eligibility for award of a scholarship, the  
32 conditions for a revocation of a scholarship, and any other procedures it deems necessary for its  
33 administration of the Program. A scholarship awarded to an eligible child or eligible spouse shall  
34 not exceed the cost of attendance at the eligible postsecondary institution.

35 If an eligible child or eligible spouse receives a scholarship or other grant covering  
36 the cost of attendance at an eligible postsecondary institution for which the scholarship is  
37 awarded, then the amount of a scholarship awarded under this section shall be reduced so that  
38 the sum of all grants and scholarships covering the cost of attendance received by the eligible  
39 child or eligible spouse does not exceed the cost of attendance for the institution. For the purposes  
40 of this subsection, cost of attendance shall be deemed to include monies for tuition, fees, books,  
41 supplies, and equipment required for study at an eligible postsecondary institution, as well as  
42 room and board as long as the scholarship recipient is enrolled as at least a half-time student at  
43 the institution. Off-campus housing costs for room and board are also included to the extent the  
44 eligible postsecondary institution includes it in its cost of attendance.

45 **SECTION 3.4.(f)** Reporting. – The Patriot Foundation shall submit a report by April  
46 1, 2021, to the Joint Legislative Education Oversight Committee and the Fiscal Research  
47 Division on the activities described by this section and the use of the State funds.

48 The Marine Corps Scholarship Foundation, Inc., shall submit a report by April 1,  
49 2021, to the Joint Legislative Education Oversight Committee and the Fiscal Research Division  
50 on the activities described by this section and the use of the State funds.  
51

**UNC ENROLLMENT FUNDING FOR COMPREHENSIVE TRANSITION PROGRAMS**

**SECTION 3.5.** For the purposes of allocating enrollment funding to constituent institutions of The University of North Carolina, beginning with the 2021-2022 fiscal year, the Board of Governors shall allocate funds each fiscal year to constituent institutions on the same basis as full-time students enrolled in a curriculum program for up to 100 resident full-time students enrolled in either a four-semester or eight-semester certificate accomplishment program approved by the United States Department of Education as a Comprehensive Transition Program (CTP) pursuant to the Higher Education Opportunity Act of 2008, 20 U.S.C. §§ 1140f–1140i. If more than 100 resident full-time students are enrolled in CTPs at constituent institutions in any academic year, the Board of Governors shall allocate funds to each eligible constituent institution on a pro rata basis.

**EXPANSION OF AUTHORITY FOR UNC TO DESIGNATE COUNSEL**

**SECTION 3.6.** G.S. 116-11(13b) reads as rewritten:

"(13b) ~~Subject to the approval required in G.S. 114-2.3(a) and G.S. 147-17(a), the~~ Notwithstanding G.S. 114-2.3, G.S. 147-17, or any other provision of law, the Board may authorize the President to designate legal counsel, including private counsel, as the President deems necessary to represent the interests of the Board, The University of North Carolina, any constituent institution, or officer or employee of The University of North Carolina in any matter, case, or proceeding in or before any court or agency of this State, any other state, or the United States. The authority provided pursuant to this subdivision includes the discretion to designate whether legal representation in any given matter is provided by the Attorney General's office, attorneys employed on the legal affairs staff of The University of North Carolina, private counsel, or a combination thereof. In those instances when the President employs counsel in addition to or other than the Attorney General, the President may designate lead counsel to possess final decision-making authority with respect to the representation, counsel, or service for The University of North Carolina. Other counsel for The University of North Carolina shall, consistent with the Rules of Professional Conduct, cooperate with such designated lead counsel. The Board may authorize the expenditure of funds to hire private counsel to represent the Board, The University of North Carolina, and any constituent institution. G.S. 114-2.3(d), 143C-6-9(b), and 147-17(c1) shall not apply to these expenditures."

**MEDICAID NONTAX REVENUE/CLARIFICATION OF AMOUNT TO BE TRANSFERRED**

**SECTION 3.7.(a)** Section 2.3(b) of S.L. 2019-242 reads as rewritten:

"**SECTION 2.3.(b)** For the 2019-2020 fiscal year, the Department of Health and Human Services (DHHS) shall deposit from its revenues one hundred sixty-five million three hundred thousand dollars (\$165,300,000) with the Department of State Treasurer to be accounted for as nontax revenue. For the 2020-2021 fiscal year, the Department of Health and Human Services ~~shall~~ shall, from its revenues, ~~deposit from its revenues one hundred thirty million dollars (\$130,000,000)~~ with the Department of State Treasurer funds to be accounted for as nontax revenue. These deposits shall represent revenue that represent the return of General Fund appropriations, nonfederal revenue, fund balances, or other resources from State-owned and State-operated hospitals that are used to provide indigent and nonindigent care services. ~~services~~ in the amount of one hundred thirty million dollars (\$130,000,000). If the funds returned to DHHS exceed one hundred thirty million dollars (\$130,000,000) for the 2020-2021 fiscal year,

1 then DHHS shall deposit the greater amount actually received. The return from State-owned and  
 2 State-operated hospitals to the Department of Health and Human Services will be made from  
 3 nonfederal resources in an amount equal to the amount of the payments from the Division of  
 4 Health Benefits for uncompensated care. The treatment of any revenue derived from federal  
 5 programs shall be in accordance with the requirements specified in the Title 2, Code of Federal  
 6 Regulations, Part 225."

7 **SECTION 3.7.(b)** This section is effective July 1, 2020, and applies to the 2020-2021  
 8 fiscal year only.

9  
 10 **FLEXIBILITY FOR CERTAIN CHILD CARE LICENSING REQUIREMENTS**

11 **SECTION 3.7A.(a)** Article 7 of Chapter 110 of the General Statutes is amended by  
 12 adding a new section to read:

13 **"§ 110-98.5. Care for school-age children during state of emergency.**

14 Notwithstanding any provision of law or rule to the contrary, when remote or virtual learning  
 15 is required due to a declared state of emergency issued under G.S. 166A-19.20, the following  
 16 shall apply:

17 (1) A community-based organization is authorized to provide care for school-age  
 18 children at a remote learning facility, provided the community-based  
 19 organization is registered with the Department through a process consistent  
 20 with the registration process the Department uses for licensed child care  
 21 facilities. For purposes of this subdivision, the following definitions shall  
 22 apply:

23 a. Community-based organizations. – Organizations of demonstrated  
 24 effectiveness that are representative of a community or significant  
 25 segments of a community that provide educational or related services  
 26 to individuals in the community, such as parks and recreation  
 27 programs, YMCAs, YWCAs, and Boys and Girls Clubs.

28 b. Remote learning facility. – A building or space used to house  
 29 school-age children during the school year for the purpose of  
 30 facilitating online or remote learning.

31 (2) When providing care to school-age children pursuant to this section, the  
 32 limitations regarding the maximum amount of screen time for children three  
 33 years of age and older shall not apply.

34 (3) Care provided to school-age children pursuant to this section is not considered  
 35 child care as defined under G.S. 110-86."

36 **SECTION 3.7A.(b)** G.S. 110-86 reads as rewritten:

37 **"§ 110-86. Definitions.**

38 Unless the context or subject matter otherwise requires, the terms or phrases used in this  
 39 Article shall be defined as follows:

40 ...  
 41 (2) Child care. – A program or arrangement where three or more children less  
 42 than 13 years old, who do not reside where the care is provided, receive care  
 43 on a regular basis of at least once per week for more than four hours but less  
 44 than 24 hours per day from persons other than their guardians or full-time  
 45 custodians, or from persons not related to them by birth, marriage, or adoption.  
 46 Child care does not include the following:

47 ...  
 48 i. Cooperative arrangements among parents to provide care for their own  
 49 children as a convenience rather than for ~~employment~~; employment.  
 50 This exemption shall include arrangements between a group of  
 51 parents, regardless of whether the parents are working, to provide for



1 the instructional needs of their children, provided the arrangement  
2 occurs in the home of one of the cooperative participants;

3 "...."

4 **SECTION 3.7A.(c)** Any community-based organization operating pursuant to  
5 subsection (a) of this section during the COVID-19 pandemic shall comply with the same  
6 COVID-19 related sanitation requirements as required of licensed child care facilities.

7  
8 **DEPARTMENT OF HEALTH AND HUMAN SERVICES/TECHNICAL**  
9 **CORRECTIONS**

10 **SECTION 3.7B.(a)** Section 2.1(a) of S.L. 2020-88 reads as rewritten:

11 "SECTION 2.1.(a) The State Controller shall transfer the sum of twenty-six million four  
12 hundred thousand dollars (\$26,400,000) in nonrecurring funds for the 2020-2021 fiscal year from  
13 funds available in the Medicaid Transformation Reserve in the General Fund to the Department  
14 of Health and Human Services, Division of Central Management and Support, to be used for  
15 operations and maintenance expenses for the North Carolina Families Accessing Services  
16 Through Technology (NC FAST) system and investment in infrastructure modernization,  
17 document management, and other critical NC FAST projects. Funds transferred under this  
18 subsection are appropriated for the purposes set forth in this subsection."

19 **SECTION 3.7B.(b)** Effective May 4, 2020, the introductory language of Section  
20 3E.1(b) of S.L. 2020-3 reads as rewritten:

21 "**SECTION 3E.1.(b)** G.S. 90-414(a2) G.S. 90-414.4(a2) reads as rewritten:"

22  
23 **CLARIFICATION OF THE TERM "AFFILIATE" FOR PURPOSES OF**  
24 **DETERMINING IMPACT OF PRIOR VIOLATIONS AND COMPLIANCE HISTORY**  
25 **ON NEW AND RENEWAL ADULT CARE HOME LICENSES**

26 **SECTION 3.7C.(a)** G.S. 131D-2.4 reads as rewritten:

27 "**§ 131D-2.4. Licensure of adult care homes for aged and disabled individuals; impact of**  
28 **prior violations on licensure; compliance history review; license renewal.**

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

30 (1) Person. – An individual; a trust or estate; a partnership; a corporation; or any  
31 grouping of individuals, each of whom owns five percent (5%) or more of a  
32 partnership or corporation, who collectively own a majority interest of either  
33 a partnership or a corporation.

34 (2) Owner. – Any person who has or had legal or equitable title to or a majority  
35 interest in an adult care home.

36 (3) Affiliate. – An adult care home that shares with another adult care home any  
37 of the following:

38 a. A common owner.

39 b. A common principal.

40 c. A common licensee.

41 (4) Principal. – Any person who is or was the owner or operator of an adult care  
42 home, an executive officer of a corporation that does or did own or operate an  
43 adult care home, a general partner of a partnership that does or did own or  
44 operate an adult care home, or a sole proprietorship that does or did own or  
45 operate an adult care home.

46 (a1) Licensure. – Except for those facilities exempt under G.S. 131D-2.3, the Department  
47 of Health and Human Services shall inspect and license all adult care homes. The Department  
48 shall issue a license for a facility not currently licensed as an adult care home for a period of six  
49 months. If the licensee demonstrates substantial compliance with Articles 1 and 3 of this Chapter  
50 and rules adopted thereunder, the Department shall issue a license for the balance of the calendar  
51 year. A facility not currently licensed as an adult care home that was licensed as an adult care

1 home within the preceding 12 months is considered an existing health service facility for the  
2 purposes of G.S. 131E-184(a)(8).

3 (b) Compliance History Review. – Prior to issuing a new license or renewing an existing  
4 license, the Department shall conduct a compliance history review of the facility and its  
5 principals and affiliates. The Department may refuse to license a facility when the compliance  
6 history review shows a pattern of noncompliance with State law by the facility or its principals  
7 or affiliates, or otherwise demonstrates disregard for the health, safety, and welfare of residents  
8 in current or past facilities. The Department shall require compliance history information and  
9 make its determination according to rules adopted by the Medical Care Commission.

10 (c) Prior Violations. – No new license shall be issued for any adult care home to an  
11 applicant for licensure under any of the following circumstances for the period of time indicated:

12 (1) Was the owner, principal, or affiliate of a licensable facility under this  
13 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
14 and was responsible for the operation of the facility that had its license  
15 revoked until five years after the date the revocation became effective.

16 (1a) Was the owner, principal, or affiliate of a licensable facility under this  
17 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
18 and was responsible for the operation of the facility that had its license  
19 summarily suspended until five years after the date the suspension was lifted  
20 or terminated.

21 (2) Is the owner, principal, or affiliate of an adult care home and is responsible  
22 for the operation of the facility that was assessed a penalty for a Type A or  
23 Type B violation until the earlier of one year from the date the penalty was  
24 assessed or until the home has substantially complied with the correction plan  
25 established pursuant to G.S. 131D-34 and substantial compliance has been  
26 certified by the Department.

27 (3) Is the owner, principal, or affiliate of an adult care home and is responsible  
28 for the operation of the facility that had its license downgraded to provisional  
29 status or had its admissions suspended as a result of violations under this  
30 Article, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
31 until ~~six months from~~ the date of restoration from provisional to full licensure,  
32 termination of the provisional license, or lifting or termination of the  
33 suspension of admissions, as applicable. A provisional license or suspension  
34 of admissions for which an appeal is pending is exempt from consideration  
35 under this subdivision.

36 (4) Repealed by Session Laws 2017-184, s. 1, effective October 1, 2017.

37 (5) Is or was the owner, principal, or affiliate of an adult care home and is  
38 responsible for the operation of the facility where outstanding fees, fines, and  
39 penalties imposed by the State against the facility have not been paid. Fines  
40 and penalties for which an appeal is pending are exempt from consideration  
41 under this subdivision.

42 An applicant for new licensure may appeal a denial of certification of substantial compliance  
43 under subdivision (2) of this subsection by filing with the Department a request for review by the  
44 Secretary within 10 days ~~of~~ after the date of denial of the certification. Within 10 days ~~of~~ after  
45 receipt of the request for review, the Secretary shall issue to the applicant a written determination  
46 that either denies certification of substantial compliance or certifies substantial compliance. The  
47 decision of the Secretary is final.

48 (d) License Renewals. – License renewals shall be valid for one year from the date of  
49 renewal unless revoked earlier by the Secretary for failure to comply with any part of this section  
50 or any rules adopted ~~hereunder~~ under this section. Licenses shall be renewed annually upon  
51 filing and the Department's approval of the renewal application. The Department shall not renew

1 a license if outstanding fees, fines, and penalties imposed by the State against the home have not  
2 been paid. Fines and penalties for which an appeal is pending are exempt from consideration.  
3 The renewal application shall contain all necessary and reasonable information that the  
4 Department may require.

5 (e) In order for an adult care home to maintain its license, it shall not hinder or interfere  
6 with the proper performance of duty of a lawfully appointed community advisory committee, as  
7 defined by G.S. 131D-31 and G.S. 131D-32.

8 (f) The Department shall not issue a new license for a change of ownership of an adult  
9 care home if outstanding fees, fines, and penalties imposed by the State against the home have  
10 not been paid. Fines and penalties for which an appeal is pending are exempt from consideration.  
11 The consent of the current licensee is not a required prerequisite to a change of ownership of an  
12 adult care home if the current licensee has (i) been removed from the facility pursuant to Articles  
13 3 and 7 of Chapter 42 of the General Statutes or (ii) abandoned the facility, as determined by the  
14 Department's reasonable discretion.

15 (g) Any applicant for licensure who wishes to contest the denial of a license is entitled to  
16 an administrative hearing as provided in Chapter 150B of the General Statutes. The applicant  
17 shall file a petition for a contested case within 30 days after the date the Department mails a  
18 written notice of the denial to the applicant."

19 **SECTION 3.7C.(b)** This section supersedes any provision of 10A NCAC 13F.0201,  
20 or any other provision of the North Carolina Administrative Code, to the contrary. As promptly  
21 as practicable, the Medical Care Commission shall amend and update 10A NCAC 13F.0201 and  
22 any other impacted rule to reflect the changes enacted by this section.

23 **SECTION 3.7C.(c)** This section applies to (i) applications for new licenses  
24 submitted to the Department of Health and Human Services, Division of Health Service  
25 Regulation (DHSR), on or after the effective date of this section, (ii) applications for the renewal  
26 of existing licenses submitted to the DHSR on or after the effective date of this section, and (iii)  
27 licenses downgraded by DHSR within the six-month period preceding the effective date of this  
28 section.

### 29 **FORT FISHER AQUARIUM FUNDING FLEXIBILITY**

30 **SECTION 3.8.** Notwithstanding Section 3.1(b) of S.L. 2018-134 or any other  
31 provision of law restricting the purposes for which funds drawn from the Hurricane Florence  
32 Disaster Recovery Fund may be used, funds appropriated from that Fund in S.L. 2019-224 and  
33 allocated to the Department of Natural and Cultural Resources for the aquarium at Fort Fisher  
34 may be used for the renovation or expansion of the aquarium.  
35

### 36 **REDIRECT FOREST SERVICE FUNDS**

37 **SECTION 3.9.** The funds allocated to the North Carolina Forest Service by  
38 subdivision (10) of Section 4.1 of S.L. 2016-124 and that are unencumbered and unexpended for  
39 those purposes or for the additional purposes authorized by Section 12.9 of S.L. 2017-57 may be  
40 used by the Department of Agriculture and Consumer Services for either of the following  
41 purposes:  
42

- 43 (1) The purchase and renovation of an existing facility for use as a regional  
44 headquarters and training facility for the North Carolina Forest Service.
- 45 (2) Support of operations and other receipt-supported activities such as  
46 maintenance and repairs at the North Carolina State Fair and the Western  
47 North Carolina Agriculture Center.  
48

### 49 **COMMUNITY LIVING HOUSING FUND**

50 **SECTION 3.11.(a)** Pursuant to G.S. 122E-3.1(b), the sum of one million nine  
51 hundred forty-eight thousand one hundred twenty-one dollars (\$1,948,121) is transferred from

1 the Transitions to Community Living Fund established pursuant to Section 10.23A(d) of S.L.  
2 2012-142 to the Community Living Housing Fund within the North Carolina Housing Finance  
3 Agency (Budget Code: 63011; Fund Code: 6201).

4 **SECTION 3.11.(b)** There is appropriated from the Community Living Housing Fund  
5 (Budget Code: 63011; Fund Code: 6201) to the North Carolina Housing Finance Agency the sum  
6 of ten million four hundred seventy-two thousand nine hundred ninety-three dollars  
7 (\$10,472,993) in nonrecurring funds for the 2020-2021 fiscal year to be used as provided in  
8 G.S. 122E-3.1(c).

9  
10 **DEPARTMENT OF REVENUE/TAX SYSTEMS OPERATIONS & MAINTENANCE**  
11 **UPGRADES**

12 **SECTION 3.12.** There is appropriated from the Collections Assistance Fee Special  
13 Fund (Budget Code: 24704; Fund Code: 2474) to the Department of Revenue the sum of twelve  
14 million five hundred thousand dollars (\$12,500,000) in nonrecurring funds for the 2020-2021  
15 fiscal year to be used for costs associated with tax systems operations and maintenance upgrades.

16  
17 **GDAC REVISIONS**

18 **SECTION 3.13.** Section 9(a) of S.L. 2020-81 reads as rewritten:

19 **"SECTION 9.(a)** Notwithstanding any other provision of law to the contrary, the  
20 appropriation in Fund Code 14660-1990 for transfer to the IT Reserve Fund (Budget Code:  
21 24667) is reduced by twelve million two hundred fifty thousand dollars (\$12,250,000) in  
22 nonrecurring funds for the 2020-2021 fiscal year and the appropriation to Enterprise Security and  
23 Risk Management Office (Fund Code: 14660-1720) is increased by twelve million two hundred  
24 fifty thousand dollars (\$12,250,000) in nonrecurring funds for the 2020-2021 fiscal year. In  
25 implementing the reductions authorized by this subsection, the Department of Information  
26 Technology and the Office of State Budget and Management shall identify existing resources to  
27 ensure that funding and positions supported by the Information Technology Fund are not  
28 adversely affected. The Department shall report to the Chairs of the Joint Legislative Oversight  
29 Committee on Information Technology, the Joint Legislative Commission on Governmental  
30 Operations, and the Fiscal Research Division at least 15 days prior to making any transfers from  
31 or reductions to funding or positions for the Governmental Data Analytics Center (GDAC)."

32  
33 **GREAT ACT REVISIONS**

34 **SECTION 3.14.(a)** G.S. 143B-1373 reads as rewritten:

35 **"§ 143B-1373. Growing Rural Economies with Access to Technology (GREAT) program.**

36 (a) As used in this section, the following definitions apply:

37 (1) Agriculture. – Activities defined in G.S. 106-581.1.

38 (2) Broadband service. – For the purposes of this section, terrestrially deployed  
39 Internet access service with transmission speeds of at least ~~40-25~~ megabits per  
40 second (Mbps) download and at least ~~one megabit-3~~ megabits per second  
41 upload ~~(40:1)-(25:3)~~.

42 (2a) Business. – Any lawful trade, investment, or other purpose or activity, whether  
43 or not conducted or undertaken for profit. The term also includes community  
44 anchor points, agricultural operations, and agricultural processing facilities.

45 ...

46 (6) Eligible project. – An eligible project is a discrete and specific project located  
47 in an unserved area of an economically distressed county seeking to provide  
48 broadband service to homes, businesses, and community anchor points not  
49 currently served. Eligible projects do not include middle mile, backhaul, and  
50 other similar projects not directed at broadband service to end users. If a  
51 contiguous project area crosses from one eligible county into one or more

1 eligible adjacent counties, for the purposes of this section, the project shall be  
 2 deemed to be located in the county where the greatest number of unserved  
 3 households are proposed to be served. To qualify for an award under this  
 4 section, no more than an incidental number of households or businesses, not  
 5 to exceed ten percent (10%) of the total households or businesses within the  
 6 boundaries of the project area submitted by the applicant, may have  
 7 terrestrially deployed Internet access service with transmission speeds greater  
 8 than 10 Mbps download and 1 Mbps upload.

9 ...  
 10 (9) Infrastructure costs. – Costs directly related to the construction of broadband  
 11 infrastructure for the extension of broadband service for an eligible project,  
 12 including installation, acquiring or updating easements, backhaul  
 13 infrastructure, and testing costs. The term also includes engineering and any  
 14 other costs associated with securing a lease to locate or collocate infrastructure  
 15 on public or private property or structures, but not including the actual  
 16 monthly lease payment. The term does not include overhead or administrative  
 17 costs.

18 ...  
 19 (14) Unserved area. – A designated geographic area that is presently without access  
 20 to broadband service, as defined in this section, offered by a wireline or fixed  
 21 wireless provider. Areas where a private provider has been designated to  
 22 receive funds through other State or federally funded programs designed  
 23 specifically for broadband deployment shall be considered served if such  
 24 funding is intended to result in construction of broadband in the area within  
 25 18 months.

26 (15) Unserved household or business. – A household or business that does not  
 27 presently have access to broadband service, as defined in this subsection.

28 ...  
 29 (d) Applications for grants will be submitted at times designated by the Secretary and  
 30 will include, at a minimum, the following information:

31 ...  
 32 (5) An illustration or description of the area to be served, identifying the number  
 33 of homes, businesses, community anchor points, agricultural operations, or  
 34 agricultural processing facilities homes and businesses that will have access  
 35 to broadband as a result of the project, including any available addresses, or  
 36 other identifying information satisfactory to the Office, for the foregoing. In  
 37 the event that the Office is unable to identify the proposed project area with  
 38 specificity, the Office may require the applicant to submit additional  
 39 information. If construction of the proposed project would result in the  
 40 provision of broadband service to areas that are not eligible for funding, those  
 41 ineligible areas should be identified in the application along with the eligible  
 42 areas.

43 ...  
 44 (11) For the proposed area to be served, the infrastructure cost per household or  
 45 business for the project.

46 ...  
 47 (e) Applications shall be made publicly available by posting on the Web site of the  
 48 Department of Information Technology for a period of at least 30 days prior to award. During  
 49 the 30-day period, any interested party may submit comments to the Secretary concerning any  
 50 pending application. A provider of broadband services may submit a protest of any application  
 51 on the grounds the proposed project covers an area that is not an eligible area under this section.

1 Protests shall be submitted in writing, accompanied by all relevant supporting documentation,  
 2 and shall be considered by the Office in connection with the review of the application. Upon  
 3 submission of evidence satisfactory to the Office that the proposed project area includes  
 4 prospective broadband recipients that are served, as measured using a methodology satisfactory  
 5 to the Office, the Office may work with an applicant to amend an application to reduce the  
 6 number of unserved prospective broadband recipients in the project area to reflect an accurate  
 7 level of current broadband service. The Office may revise application scores in accordance with  
 8 ~~amended applications.~~ applications, however, the Office may reject any amended application  
 9 resulting in a lower application score to the extent that the lower score would have impacted the  
 10 ranking of the application in the initial scoring process. For applications with filed protests, the  
 11 Secretary shall issue a written decision to the protesting party at least 15 days prior to the approval  
 12 of that application. Following a protest that is granted for a portion of the application, the Office  
 13 may release to an applicant the locations or areas declared ineligible. The information released  
 14 to the applicant is not a public record, as that term is defined under G.S. 132-1, and shall remain  
 15 confidential. Any provider submitting a protest shall verify that the information in the protest is  
 16 accurate and that the protest is submitted in good faith. The Office may deny any protest or  
 17 application that contains inaccurate information.

18 As a means of resolving a protest, the Office may utilize speed tests to determine if the  
 19 protested area or individual households or businesses currently have access to broadband service  
 20 as defined in this section. The Department shall publish the speed test methodology it uses to  
 21 assess speed levels pursuant to this section. All decisions regarding the speed test to be utilized  
 22 and the manner by which the speed tests are applied shall be made by the Secretary or the  
 23 Secretary's designee.

24 ...  
 25 (g) Applications shall be scored based upon a system that awards a single point for criteria  
 26 considered to be the minimum level for the provision of broadband service with additional points  
 27 awarded to criteria that exceed minimum levels. The Office shall score project applications in  
 28 accordance with the following:

29 ...  
 30 (4) Unserved businesses. – The Office shall give additional points to projects that  
 31 will provide broadband service to unserved businesses located within the  
 32 eligible economically distressed county, as determined by the most recent data  
 33 published by the Federal Communications Commission or any other  
 34 information available to the Office. Points shall be given to projects that serve  
 35 unserved businesses within the project area as follows:

- 36 a. Projects proposing to serve between 1 and 4 businesses shall receive 1  
 37 point.
- 38 b. Projects proposing to serve between 5 and 10 businesses shall receive  
 39 2 points.
- 40 c. Projects proposing to serve either (i) more than 10 businesses or (ii)  
 41 ~~an agricultural operation, agricultural processing facility, or a business~~  
 42 with 31 or more full-time employees shall receive 3 points.

43 (5) ~~Cost per household.~~ household or business. – The Office shall give additional  
 44 points to projects that ~~minimize the infrastructure cost of the proposed project~~  
 45 ~~per household, household or business,~~ based upon information available to the  
 46 Office. Points shall be given to projects based upon the estimated cost per  
 47 household or business as follows:

48 a. For projects proposed in the Piedmont or Coastal Plain Regions:

49 <b>Est. Cost per</b>	<b>Partnership Using</b>	<b>Private Provider</b>
50 <b><del>Household</del></b>	<b><u>Household/Business</u></b>	<b>Only</b>
	<b>Infrastructure</b>	

1	Up to \$1,700	4	9
2	\$1,701-2,200	3	8
3	<u>\$2,201-2,700</u>	<u>2</u>	<u>7</u>
4	<u>\$2,701-3,200</u>	<u>1</u>	<u>6</u>
5	b. For projects located in the Mountain Region:		
6	<b>Est. Cost per</b>	<b>Partnership Using</b>	<b>Private Provider</b>
7	<del>Household</del> <b>Household/Business</b>		
8		<b>Infrastructure</b>	<b>Only</b>
9	Up to \$2,500	4	9
10	\$2,501-3,300	3	8
11	<u>\$3,301-3,800</u>	<u>2</u>	<u>7</u>
12	<u>\$3,801-4,300</u>	<u>1</u>	<u>6</u>

(6) Base speed multiplier. – Projects that will provide minimum download and minimum upload speeds shall have the aggregate points given under subdivisions (1) through (5) of this subsection multiplied by a factor at the level indicated in the table below:

<b>Minimum Download:</b>	<b>Score Multiplier</b>
<b>Minimum Upload</b>	
<del>At least 10:1 Mbps. up to 25:3 Mbps.</del>	<del>0.95</del>
25:3 Mbps. up to 100:10 Mbps.	1.35
100:10 Mbps. <del>or greater</del> up to 200:20 Mbps.	1.75
<u>200:20 Mbps. or greater.</u>	<u>2.00</u>

...  
 (i) Applications receiving the highest score shall receive priority status for the awarding of grants pursuant this section. As a means of breaking a tie for applications receiving the same score, the Office shall give priority to the application proposing to serve the highest number of new households at the lowest cost per ~~household.~~ household or business. Applicants awarded grants pursuant to this section shall enter into an agreement with the Office. The agreement shall contain all of the elements outlined in subsection (d) of this section and any other provisions the Office may require. The agreement shall contain a provision governing the time line and minimum requirements and thresholds for disbursement of grant funds measured by the progress of the project. Grant funds shall be disbursed only upon verification by the Office that the terms of the agreement have been fulfilled according to the progress milestones contained in the agreement. At project completion, the grant recipient shall certify and provide to the Office evidence consistent with Federal Communications Commission attestation that either speeds greater than those identified in the application guidelines or the proposed upstream and downstream broadband speeds identified in the application guidelines, and for which a base speed multiplier was awarded pursuant to subdivision (6) of subsection (g) of this section, are available throughout the project area prior to any end user connections. A single grant award shall not exceed two million dollars (\$2,000,000). No more than one grant may be awarded per fiscal year for a project in any one eligible economically distressed county; except that if funds remain available after all top scoring projects have been awarded a grant, then the next highest scoring projects may be awarded a grant even if the project is located in a county where a grant has been awarded in that fiscal year provided the total award associated with that county does not exceed two million dollars (\$2,000,000) in that fiscal year.

No more than one-third of the funds appropriated to the fund established in subsection (b) of this section shall be disbursed for projects located in a development tier two county.

(j) Grant recipients are required to provide matching funds based upon the application scoring pursuant to this section in the following minimum amounts:

<b>Score</b>	<b>Matching Requirement</b>
12.0 points or less	55%

1	Greater than 12.0 points, but less than 17.5 points	50%
2	17.5 points, up to 22.0 points	45%
3	Greater than 22.0 points	35%

4 Up to fifty percent (50%) of matching funds paid by the grant recipient may be comprised of  
 5 third-party funding ~~and including funds from~~ other grant programs. Funds from the Universal  
 6 Service Fund, or Connect America Phase II Fund Fund shall not be used for any portion of the  
 7 required matching funds. Any other current or future federal funds may be used, including any  
 8 future phase of the Connect America Fund, for the required matching funds within the parameters  
 9 of this program.

10 ...  
 11 (n) Grant recipients shall submit to the Office an annual report for each funded project  
 12 for the duration of the agreement. The report shall include a summary of the items contained in  
 13 the grant agreement and level of attainment for each and shall also include (i) the number of  
 14 ~~households, businesses, agriculture operations, and community anchor points~~ households and  
 15 businesses that have broadband access as a result of the project; (ii) the percentage of end users  
 16 in the project area who have access to broadband service and actually subscribe to the broadband  
 17 service; and (iii) the average monthly subscription cost for broadband service in the project area.

18 (o) The Department of Information Technology shall submit an annual report to the Joint  
 19 Legislative Oversight Committee for Information Technology and the Fiscal Research Division  
 20 on or before September 1. The report shall contain at least all of the following:

- 21 (1) The number of grant projects applied for and the number of grant agreements  
 22 entered into.
- 23 (2) A time line for each grant agreement and the number of ~~households,~~  
 24 ~~businesses, agriculture operations, and community anchor points~~ households  
 25 and businesses expected to benefit from each agreement.

26 ...."

27 **SECTION 3.14.(b)** G.S. 143B-1373(a)(5), as amended by Section 2 of S.L.  
 28 2019-230, reads as rewritten:

29 "(5) Eligible economically distressed county. – A county designated as a  
 30 development tier one or tier two area, as defined in  
 31 ~~G.S. 143B-473.08~~ G.S. 143B-437.08. For the purposes of this section, the tier  
 32 designation that is in effect as of the beginning of a fiscal year shall be applied  
 33 for all grants awarded for that fiscal year."

34 **SECTION 3.14.(c)** Subsection (b) of this section is effective when it becomes law  
 35 and applies to applications submitted on or before December 31, 2019.

36 **SECTION 3.14.(d)** Notwithstanding the grant amount limitations in  
 37 G.S. 143B-1373, the Department shall provide a supplementary grant award of fifteen thousand  
 38 dollars (\$15,000) from the Growing Rural Economies with Access to Technology Fund for each  
 39 grant project awarded during the 2020-2021 fiscal year that has also received a grant from the  
 40 Federal Communications Commission Rural Digital Opportunity Fund Auction Phase I.

41 **SECTION 3.14.(e)** G.S. 143B-1373(l) reads as rewritten:

42 "(l) ~~A The Office may cancel an agreement and the grant recipient shall forfeit the amount~~  
 43 ~~of the grant received if it fails to perform, in material respect, the obligations established in the~~  
 44 ~~agreement. The Office may cancel an agreement for failure to perform if the grant recipient's~~  
 45 ~~actual performance under the agreement would have reduced the application score to the extent~~  
 46 ~~that the lower score would have impacted the ranking of the application in the initial scoring~~  
 47 ~~process.~~ Grant recipients that fail to provide the minimum advertised connection speed for which  
 48 a reduction in matching funds was applied shall forfeit that amount. A grant recipient that forfeits  
 49 amounts disbursed under this section is liable for the amount disbursed plus interest at the rate  
 50 established under G.S. 105-241.21, computed from the date of the disbursement. The number of  
 51 subscribers that subscribe to broadband services offered by the provider in the project area shall



1 not be a measure of performance under the agreement for the purposes of this subsection. Within  
2 60 days of the cancellation of the agreement for failure to perform, the Office may conduct a  
3 special application period. The Office may select a new grant recipient, in accordance with this  
4 section, to complete a project that is substantially similar in location and scope to the project  
5 described in the cancelled agreement. The portions of any new project selected that are identical  
6 to the project described in the cancelled agreement shall not be subject to the protest period  
7 described in subsection (e) of this section."

8 **SECTION 3.14.(f)** Subsection (e) of this section is effective July 1, 2019, and applies  
9 to agreements entered into on or after that date.

## 10 11 **EXTEND APPLICABILITY PERIOD FOR CERTAIN DMV CREDENTIAL** 12 **EXTENSIONS**

13 **SECTION 3.15.(a)** Section 4.7(b) of S.L. 2020-3 reads as rewritten:

14 "**SECTION 4.7.(b)** Extend Validity of Credentials. – Notwithstanding renewal, duration, or  
15 expiration provisions of G.S. 20-7, 20-11, 20-37.6, 20-37.7, 20-37.13, 20-50, 20-66, 20-79,  
16 20-79.02, 20-79.2, 20-183.4B, 20-183.4D, 20-280.3, 20-288, 20-324, and 20-359, or any other  
17 provision of law to the contrary, the Division of Motor Vehicles shall extend for a period of five  
18 months the validity of any credential that expires on or after March 1, 2020, and before August  
19 1, 2020. The Division shall extend for a period of five months the validity of any credential listed  
20 in subdivisions (6), (7), (9), and (10) of subsection (a) of this section that expires on or after  
21 March 1, 2020, and before the date 30 days after the date the Governor (i) rescinds Executive  
22 Order No. 116 or (ii) issues another executive order lifting restrictions on Division of Motor  
23 Vehicles functions. Notwithstanding G.S. 20-37.13(h) and G.S. 20-37.13A(a), the Division of  
24 Motor Vehicles is authorized to waive the requirement that commercial drivers license and  
25 commercial learner's permit holders have a medical examination and certification, as required by  
26 federal law, consistent with any waiver of medical qualifications standards issued by the Federal  
27 Motor Carrier Safety Administration. A credential extended under this section shall expire five  
28 months from the date it otherwise expires as prescribed by law prior to this section. However,  
29 the subsequent expiration of a credential extended under this section shall occur on the date  
30 prescribed by law prior to this section without regard to the extension. The Division shall notify  
31 individuals affected by an extension granted under this section, including information on new  
32 expiration dates and how the extension affects subsequent renewal and expiration dates."

33 **SECTION 3.15.(b)** This section is effective retroactively to August 1, 2020, and  
34 applies to expirations occurring on or after that date.

## 35 36 **CDL EXTENSIONS**

37 **SECTION 3.16.(a)** Section 4.7(b1) of S.L. 2020-3 reads as rewritten:

38 "**SECTION 4.7.(b1)** Extension of Intrastate Medical Waivers. – Notwithstanding the  
39 limitation on duration of waivers in G.S. 20-37.13A(b), the Division of Motor Vehicles may  
40 extend for up to five months the validity of a medical waiver issued by the Division under  
41 G.S. 20-37.13A if the waiver expires on or after March 1, 2020, and before ~~August 1, 2020,~~  
42 the date 30 days after the date the Governor (i) rescinds Executive Order No. 116 or (ii) issues  
43 another executive order lifting restrictions on Division of Motor Vehicles functions, and the  
44 Division's Medical Review Unit determines the extension is appropriate."

45 **SECTION 3.16.(b)** This section is effective retroactively to August 1, 2020, and  
46 applies to expirations occurring on or after that date.

## 47 48 **DMV IMPROVEMENTS REPORT**

49 **SECTION 3.17.** The Division of Motor Vehicles shall report to the Joint Legislative  
50 Transportation Oversight Committee on or before September 15, 2020, detailing any changes the  
51 Division is implementing to improve operations and decrease wait times at Division of Motor

1 Vehicles offices. The Division shall report to the Joint Legislative Transportation Oversight  
2 Committee on or before November 1, 2020, on the effects of implemented changes.

3  
4 **DOT/TECHNICAL CORRECTION**

5 **SECTION 3.18.** Section 5.3(c) of S.L. 2020-91 reads as rewritten:

6 "~~SECTION 5.3.(e)~~ 5.2.(c) Subsection (b) of this section expires on January 1, 2021."  
7

8 **REALLOW LICENSED SOIL SCIENTISTS TO EVALUATE, INSPECT, AND**  
9 **APPROVE ON-SITE WASTEWATER SYSTEM PROJECTS DURING THE**  
10 **CORONAVIRUS EMERGENCY**

11 **SECTION 3.19.(a)** Notwithstanding G.S. 130A-336.2(a), an individual licensed as  
12 a soil scientist pursuant to Chapter 89F of the General Statutes may, at the direction of the owner  
13 of a proposed on-site wastewater system, prepare signed and sealed soil and site evaluations,  
14 specifications, plans, and reports for the site layout, construction, operation, and maintenance of  
15 a wastewater system without also obtaining further certification from the North Carolina On-Site  
16 Wastewater Contractors and Inspectors Board.

17 **SECTION 3.19.(b)** In addition to the authority granted pursuant to subsection (a) of  
18 this section, an individual licensed as a soil scientist pursuant to Chapter 89F of the General  
19 Statutes and engaged by the owner of a proposed on-site wastewater system may conduct all  
20 necessary inspections, certifications, and approvals, including the issuance of the final inspection  
21 and report certifying that the system has been installed according to the approved plans and  
22 specifications for the construction, installation, and operation of a proposed wastewater system.

23 **SECTION 3.19.(c)** Wastewater systems constructed, installed, and operated under  
24 authority of this section shall otherwise comply with the requirements of G.S. 130A-336.2 and  
25 rules adopted thereunder. The owner of a proposed wastewater system shall notify the local  
26 health department that the owner is engaging a licensed soil scientist pursuant to the authority  
27 granted in this section.

28 **SECTION 3.19.(d)** The Department of Health and Human Services, the  
29 Department's authorized agents, and local health departments shall have no liability for  
30 wastewater systems developed, constructed, installed, or approved by a licensed soil scientist  
31 acting pursuant to the authority granted in this section; however, nothing in this section shall  
32 relieve the Department, the Department's authorized agents, and local health departments from  
33 any of their other obligations under State law or administrative rule. The licensed soil scientist  
34 conducting the evaluation, installation, and construction of a proposed wastewater system  
35 pursuant to this section shall maintain an errors and omissions liability insurance policy issued  
36 by an insurer licensed under Chapter 58 of the General Statutes in an amount commensurate with  
37 the risk.

38 **SECTION 3.19.(e)** This section is effective when it becomes law and expires 90  
39 days after Executive Order No. 116 is rescinded or December 31, 2021, whichever is earlier.  
40 However, the expiration of this section shall not prevent a licensed soil scientist acting under this  
41 section's authority from completing a proposed wastewater system begun before this section  
42 expires.  
43

44 **REAUTHORIZE STATE AGENCIES TO EXERCISE REGULATORY FLEXIBILITY**  
45 **DURING THE CORONAVIRUS EMERGENCY IN ORDER TO PROTECT THE**  
46 **ECONOMIC WELL-BEING OF THE CITIZENS AND BUSINESSES OF THE STATE**

47 **SECTION 3.20.(a)** For purposes of this section, the following definitions apply:

- 48 (1) "Coronavirus" has the same meaning as defined in Section 506 of the  
49 Coronavirus Preparedness and Response Supplemental Appropriations Act,  
50 2020.

1 (2) "Coronavirus emergency" means the period from August 1, 2020, through the  
2 date the Governor signs an executive order rescinding Executive Order No.  
3 116, Declaration of a State of Emergency to Coordinate Response and  
4 Protective Actions to Prevent the Spread of COVID-19.

5 (3) "State agency" means an agency or an officer in the executive branch of the  
6 government of this State and includes the Council of State, the Governor's  
7 Office, a board, a commission, a department, a division, a council, and any  
8 other unit of government in the executive branch. "State agency" does not  
9 include the Division of Employment Security of the Department of  
10 Commerce, the Department of Health and Human Services, the State Board  
11 of Education, the Department of Public Instruction, The University of North  
12 Carolina, the State Board of Community Colleges, or the State Board of  
13 Elections.

14 **SECTION 3.20.(b)** Notwithstanding any other provision of State law, if a State  
15 agency determines that, due to the impacts of the coronavirus, it is in the public interest, including  
16 the public health, safety, and welfare and the economic well-being of the citizens and businesses  
17 of the State, the agency shall:

18 (1) Delay the collection, or modify the method of collection, of any fees, fines, or  
19 late payments assessed by the agency under its statutes, including the accrual  
20 of interest associated with any fees, fines, or late payments.

21 (2) Delay the renewal dates of permits, licenses, and other similar certifications,  
22 registrations, and authorizations issued by the agency pursuant to its statutes.

23 (3) Delay or modify any educational or examination requirements implemented  
24 by the agency pursuant to its statutes.

25 **SECTION 3.20.(c)** No later than October 1, 2021, each State agency shall make an  
26 interim report, and a final report no later than 90 days after this section expires, to the Joint  
27 Legislative Administrative Procedure Oversight Committee, the Joint Legislative Commission  
28 on Governmental Operations, and the Office of State Budget and Management on its specific  
29 efforts to exercise regulatory flexibility under this section.

30 **SECTION 3.20.(d)** State agencies shall exercise the authority granted pursuant to  
31 this section to the maximum extent practicable in order to protect the economic well-being of the  
32 citizens and businesses of the State, while also continuing to protect public health, safety, and  
33 welfare.

34 **SECTION 3.20.(e)** State agencies may adopt emergency rules for the  
35 implementation of this section in accordance with G.S. 150B-21.1A. Notwithstanding  
36 G.S. 150B-21.1A(a), an agency shall not commence the adoption of temporary rules pursuant to  
37 this section. Notwithstanding G.S. 150B-21.1A(d)(4), an emergency rule adopted pursuant to this  
38 section shall expire 30 days after Executive Order No. 116 is rescinded or December 31, 2021,  
39 whichever is earlier.

40 **SECTION 3.20.(f)** This section is effective retroactively to August 1, 2020.  
41 Subsections (a), (b), (d), and (e) of this section expire 30 days after Executive Order No. 116 is  
42 rescinded or December 31, 2021, whichever is earlier.

43  
44 **REEXTEND CERTAIN LOCAL GOVERNMENT APPROVALS AFFECTING THE**  
45 **DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE**

46 **SECTION 3.21.(a)** Definitions. – As used in this section, the following definitions  
47 apply:

48 (1) Development approval. – Any of the following approvals issued by any unit  
49 of local government, regardless of the form of the approval, that are for the  
50 development of land:

- 1 a. Any approval of an erosion and sedimentation control plan granted by  
2 a local government under Article 4 of Chapter 113A of the General  
3 Statutes.  
4 b. Any building permit issued under Article 9 of Chapter 143 of the  
5 General Statutes.  
6 c. Any approval by a county of sketch plans, preliminary plats, plats  
7 regarding a subdivision of land, a site-specific development plan or a  
8 phased development plan, a development permit, a development  
9 agreement, or a building permit under Chapter 160D of the General  
10 Statutes.  
11 d. Any approval by a city of sketch plans, preliminary plats, plats  
12 regarding a subdivision of land, a site-specific development plan or a  
13 phased development plan, a development permit, a development  
14 agreement, or a building permit under Chapter 160D of the General  
15 Statutes.  
16 e. Any certificate of appropriateness issued by a preservation  
17 commission of a city under Chapter 160D of the General Statutes.  
18 (2) Development. – The division of a parcel of land into two or more parcels; the  
19 construction, reconstruction, conversion, structural alteration, relocation, or  
20 enlargement of any building or other structure or facility; or any grading, soil  
21 removal or relocation, excavation or landfill, or any use or change in the use  
22 of any building or other structure or land or extension of the use of land.

23 **SECTION 3.21.(b)** For any development approval that is current and valid at any  
24 point during the period beginning September 2, 2020, and ending 30 days after Executive Order  
25 No. 116 is rescinded or December 31, 2021, whichever is earlier, the expiration date of the period  
26 of the development approval and any associated vested right under G.S. 160D-108 or  
27 G.S. 160D-108.1 is automatically extended 120 days from the expiration date.

28 **SECTION 3.21.(c)** This section shall not be construed or implemented to:

- 29 (1) Extend any permit or approval issued by the United States or any of its  
30 agencies or instrumentalities.  
31 (2) Extend any permit or approval for which the term or duration of the permit or  
32 approval is specified or determined pursuant to federal law.  
33 (3) Shorten the duration that any development approval would have had in the  
34 absence of this section.  
35 (4) Prohibit the granting of such additional extensions as are provided by law.  
36 (5) Affect any administrative consent order issued by the Department of  
37 Environmental Quality in effect or issued at any time from the effective date  
38 of this section to 30 days after Executive Order No. 116 is rescinded or  
39 December 31, 2021, whichever is earlier.  
40 (6) Affect the ability of a government entity to revoke or modify a development  
41 approval or to accept voluntary relinquishment of a development approval by  
42 the holder of the development approval pursuant to law.  
43 (7) Modify any requirement of law that is necessary to retain federal delegation  
44 by the State of the authority to implement a federal law or program.  
45 (8) Modify any person's obligations or impair the rights of any party under  
46 contract, including bond or other similar undertaking.  
47 (9) Authorize the charging of a water or wastewater tap fee that has been  
48 previously paid in full for a project subject to a development approval.

49 **SECTION 3.21.(d)** The provisions of this section shall be liberally construed to  
50 effectuate the purposes of this section.

1           **SECTION 3.21.(e)** For any development approval extended by this section, the  
2 holder of the development approval shall:

- 3           (1) Comply with all applicable laws, regulations, and policies in effect at the time  
4 the development approval was originally issued by the governmental entity.
- 5           (2) Maintain all performance guarantees that are imposed as a condition of the  
6 initial development approval for the duration of the period the development  
7 approval is extended or until affirmatively released from that obligation by the  
8 issuing governmental entity.
- 9           (3) Complete any infrastructure necessary in order to obtain a certificate of  
10 occupancy or other final permit approval from the issuing governmental  
11 entity.

12           **SECTION 3.21.(f)** Failure to comply with any condition in this section may result  
13 in termination of the extension of the development approval by the issuing governmental entity.  
14 In the event of a termination of the extension of a development approval, the issuing  
15 governmental entity shall provide written notice to the last known address of the original holder  
16 of the development approval of the termination of the extension of the development approval,  
17 including the reason for the termination. Termination of an extension of a development approval  
18 shall be subject to appeal to the Board of Adjustment under the requirements set forth in law if  
19 the development approval was issued by a unit of local government with planning authority under  
20 Chapter 160D of the General Statutes.

21           **SECTION 3.21.(g)** This section is effective when it becomes law and expires 30  
22 days after Executive Order No. 116 is rescinded or December 31, 2021, whichever is earlier. Any  
23 development approval extended in accordance with subsection (b) of this section shall remain in  
24 effect until its expiration date in accordance with subsection (b) of this section.

## 25 **PART IV. MISCELLANEOUS AND EFFECTIVE DATE**

### 26 **STATE BUDGET ACT APPLICABILITY**

27  
28  
29           **SECTION 4.1.** The provisions of the State Budget Act, Chapter 143C of the General  
30 Statutes, are reenacted and shall remain in full force and effect and are incorporated in this act  
31 by reference.

### 32 **EFFECT OF PRIOR CORONAVIRUS RELIEF FUND LEGISLATION**

33           **SECTION 4.2.** The provisions of any legislation enacted during any session of the  
34 2019 General Assembly expressly appropriating funds from the Coronavirus Relief Fund  
35 established in S.L. 2020-4 to an agency, a department, or an institution covered under this act  
36 shall remain in effect, except where expressly repealed or amended by this act or any of the  
37 following acts of the 2019 General Assembly:

- 38           (1) S.L. 2020-4.
- 39           (2) S.L. 2020-14.
- 40           (3) S.L. 2020-27.
- 41           (4) S.L. 2020-32.
- 42           (5) S.L. 2020-49.
- 43           (6) S.L. 2020-53.
- 44           (7) S.L. 2020-64.
- 45           (8) S.L. 2020-79.
- 46           (9) S.L. 2020-80.
- 47           (10) S.L. 2020-88.
- 48           (11) S.L. 2020-91.

### 49 **EFFECT OF PRIOR LEGISLATION APPROPRIATING FUNDS**

1           **SECTION 4.3.** Except where expressly repealed or amended by this act, the  
2 provisions of any other legislation enacted during any session of the 2019 General Assembly  
3 expressly appropriating funds to an agency, a department, or an institution covered under this  
4 act, shall remain in effect.

5  
6 **EFFECT OF HEADINGS**

7           **SECTION 4.4.** The headings to the parts, subparts, and sections of this act are a  
8 convenience to the reader and are for reference only. The headings do not expand, limit, or define  
9 the text of this act, except for effective dates referring to a part or subpart.

10  
11 **SEVERABILITY**

12           **SECTION 4.5.** If any provision of this act or its application is held invalid, the  
13 invalidity does not affect other provisions or applications of this act that can be given effect  
14 without the invalid provisions or application, and to this end the provisions of this act are  
15 severable.

16  
17 **EFFECTIVE DATE**

18           **SECTION 4.6.** Except as otherwise provided, this act is effective when it becomes  
19 law.