

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 196
Committee Substitute Favorable 3/2/21
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PROPOSED SENATE COMMITTEE SUBSTITUTE H196-PCS30122-MC-1

Short Title: 2021 COVID-19 Response & Relief.

(Public)

Sponsors:

Referred to:

March 2, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE MODIFICATIONS TO COVID-19 RELIEF LEGISLATION AND
3 PROVIDE ADDITIONAL APPROPRIATIONS FOR THE EXPENDITURE OF FEDERAL
4 COVID-19 PANDEMIC RELIEF FUNDS.

5 The General Assembly of North Carolina enacts:

6
7 **PART I. APPROPRIATION OF FEDERAL CORONAVIRUS RESPONSE AND RELIEF**
8 **SUPPLEMENTAL APPROPRIATIONS ACT FUNDS**

9
10 **APPROPRIATION OF COVID-19 FEDERAL FUNDS**

11 **SECTION 1.1.(a)** Federal funds received by the State as authorized under the
12 Consolidated Appropriations Act, 2021, (P.L. 116-260), are appropriated in the amounts
13 provided in the notification of award from the federal government or any entity acting on behalf
14 of the federal government to administer the federal funds. State agencies may, with approval of
15 the Director of the Budget, spend these funds received from federal receipts and federal grants.
16 The programs and grant amounts in the schedule set forth in this subsection are estimates of
17 North Carolina's allocations to be deposited in the State's Treasury and administered by State
18 agencies. This schedule is meant to be illustrative of federal grants that have been, or will be,
19 received by the State from the Consolidated Appropriations Act, 2021, (P.L. 116-260).

20 <u>Program</u>	20 <u>Amount</u>
21 Governor's Emergency Education Relief Fund (GEER II)	\$42,920,546
22 Governor's Emergency Education Relief Fund – Emergency Assistance to	
23 Nonpublic Schools (EANS)	\$84,824,393
24 Higher Education Emergency Relief Fund (HEER II)	\$292,693,289
25 Farm Stress Program Block Grants	\$500,000
26 Fisheries Disaster Assistance	\$5,202,534
27 Emergency Food Assistance Program (TEFAP)	\$12,813,000
28 Older Americans Act – Congregate and Home-Delivered Meals	\$5,172,595
29 ELC Enhancing Detection through Coronavirus Response and Relief	
30 Supplemental Funds	\$603,677,156

31 **SECTION 1.1.(b)** The final amount of federal funds awarded for the following
32 programs are not yet known, but are hereby appropriated in the same manner as provided in
33 subsection (a) of this section: Specialty Crop Block Grants, Supplemental Nutrition Assistance



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1 Program (SNAP), Commodity Supplemental Food Program, and School Nutrition and Child and
2 Adult Care Food Program.

3
4 **EMERGENCY NEEDS FOR ELEMENTARY AND SECONDARY SCHOOLS OF THE**
5 **STATE**

6 **SECTION 1.2.** S.L. 2021-1 is amended by adding a new section to read:

7 **"SECTION 5A.** The Department of Public Instruction shall use the funds reserved pursuant
8 to subsection (c1) of Section 5 of this act as follows:

- 9 (1) \$500,000 shall be transferred to the Department of Natural and Cultural
10 Resources to be allocated to the State Library for the NC Kids Digital Library
11 project to address learning loss resulting from the COVID-19 pandemic by
12 providing children with increased access to digital learning resources in public
13 libraries, including e-books, audiobooks, and videos.
- 14 (2) \$500,000 to be allocated to the Governor Morehead School for the Blind,
15 Eastern North Carolina School for the Deaf, and North Carolina School for
16 the Deaf for school nutrition, cleaning and sanitizing, learning resources,
17 including providing new instructional materials in braille for students with
18 visual impairments, compensatory services, and Extended School Year
19 Services related to the impacts of COVID-19.
- 20 (3) \$1,000,000 to be transferred to the Board of Governors of The University of
21 North Carolina for the North Carolina New Teacher Support Program to
22 provide mentoring and coaching support to beginning teachers who are
23 employed in public schools most impacted by COVID-19 at no cost to the
24 local school administrative units.
- 25 (4) \$1,000,000 to contract with a third-party entity to collect, analyze, and report
26 data related to the overall impacts of COVID-19 on public school units,
27 students, and families of the State, including the State's responsiveness to the
28 COVID-19 pandemic, the transition to remote learning and return to in-person
29 instruction, the systems in place for flexibility in education delivery,
30 assessment of student performance, addressing issues of learning loss, teacher
31 effectiveness and supports, and implementation of best practices and
32 improvements for any significant future challenges. The Department shall
33 submit a preliminary report by March 15, 2022, and a final report by
34 December 15, 2022, to the Joint Legislative Education Oversight Committee
35 on the findings of the third-party entity from the contract required by this
36 subdivision.
- 37 (5) \$1,200,000 to be transferred to the Wildlife Resources Commission to be
38 allocated to the Outdoor Heritage Special Fund (Budget Code: 24351; Fund
39 Code: 2291) for the Outdoor Heritage Advisory Council's NC Schools Go
40 Outside grant program to provide local opportunities for young people to
41 reengage with learning experiences in safe outdoor settings.
- 42 (6) Up to \$10,000,000 to be allocated as needed to each public school unit in the
43 State, except for schools operated by the State Board of Education, to ensure
44 that each public school unit receives a total amount from the Elementary and
45 Secondary School Emergency Relief II (ESSER II) Fund of at least one
46 hundred eighty dollars (\$180.00) per pupil in federal grant funds according to
47 the following:
- 48 a. If a public school unit did not receive funds pursuant to subsection (c)
49 of Section 313 of P.L. 116-260, the public school unit shall receive an
50 amount equal to one hundred eighty dollars (\$180.00) per pupil.

1 b. If a public school unit received funds pursuant to subsection (c) of
2 Section 313 of P.L. 116-260, the per pupil amount allocated under this
3 subdivision shall be reduced so that (i) the total amount in federal grant
4 funds from the ESSER II Fund is equal to one hundred eighty dollars
5 (\$180.00) per pupil or (ii) the public school unit receives no additional
6 funding because the total amount from the ESSER II Fund would
7 exceed one hundred eighty dollars (\$180.00) per pupil.

8 The federal grant funds allocated under this subdivision shall be used for the
9 purpose of responding to the impacts of COVID-19, including mitigating
10 learning loss and reopening schools.

11 (7) \$10,000,000 to be allocated in a manner consistent with the formula for the
12 Instructional Support Allotment. These funds shall be used for contracted
13 services for school health support personnel to provide additional physical and
14 mental health support services for students in response to COVID-19,
15 including remote and in-person physical and mental health support services.
16 For purposes of this subdivision, the term "school health support personnel"
17 shall refer to school counselors, school nurses, school psychologists, and
18 school social workers.

19 (8) \$10,000,000 to be allocated to public school units participating in a federal
20 school nutrition program administered by the Food and Nutrition Service of
21 the United States Department of Agriculture for school nutrition services
22 provided in response to COVID-19. The allocation of grants shall be
23 prioritized to public school units based on need as demonstrated by the
24 expenditure of existing federal funding received for COVID-19 related
25 impacts.

26 (9) \$1,000,000, in response to COVID-19, to contract with a third-party entity to
27 conduct a statewide assessment of the cybersecurity capabilities of public
28 schools and threats posed to public schools. In selecting a third-party entity to
29 conduct the assessment, the Department shall not consider any entity currently
30 under contract with the Department to provide services related to
31 cybersecurity. The assessment required under this subdivision is confidential
32 and not a public record as defined in G.S. 132-1. No later than June 20, 2021,
33 the Department shall report the results of the assessment conducted by the
34 third-party entity to the chairs of the Senate Appropriations/Base Budget
35 Committee, the chairs of the House Appropriations Committee, the chairs of
36 the Senate Appropriations Committee on General Government and
37 Information Technology, and the chairs of the House Appropriations
38 Committee on Information Technology. The report submitted by the
39 Department is confidential and not a public record as defined in G.S. 132-1.

40 (10) \$9,000,000, in response to COVID-19, to contract with a third-party entity to
41 implement a statewide cybersecurity program to improve the cybersecurity
42 infrastructure of the public schools. The third-party entity shall be a business
43 entity with broad experience in cybersecurity services, including a history of
44 successful contracts in this State and at least one other state, and shall not have
45 its principal office located in the People's Republic of China or the Russian
46 Federation. Nothing in this subdivision is intended to contravene any existing
47 treaty, law, agreement, or regulation of the United States. The funds shall not
48 be allocated to a public school unit, and the program shall include at least the
49 following components:

- 1 a. Funding for all costs related to the following for implementation of the
2 program, as needed: hardware, software, licenses, support,
3 maintenance, training, and labor.
4 b. Preparation for and understanding of evolving technology and
5 evolving security threats in the State.
6 c. Adequate review and oversight of the program.
7 d. Integration among the various elements of the program.
8 e. Development of systems improving accountability and responsibility
9 related to a security threat or breach.
10 (11) \$12,000,000 to contract with Voyager Sopris Learning, Inc., to provide
11 Language Essentials for Teachers of Reading and Spelling training for
12 teachers for improving the literacy and language development of students,
13 building strong foundational early literacy skills by utilizing the Science of
14 Reading, and recouping learning losses resulting from the COVID-19
15 pandemic. The funds shall be used for training programs to be delivered to
16 educators working with (i) children in the North Carolina Prekindergarten
17 (NC Pre-K) program, in consultation with the Department of Health and
18 Human Services, and (ii) children in kindergarten through fifth grade. Up to
19 fifty percent (50%) of the funds shall be used for the delivery of training
20 programs to educators in a combination of grade levels from NC Pre-K
21 programs through fifth grade during the 2021-2022 school year. The
22 remaining funds shall be used to provide the training programs to educators
23 through those grade levels during the 2022-2023 school year.
24 (12) \$15,000,000 for the Extended Learning and Integrated Student Supports
25 Competitive Grant Program (Program). Of these funds, the Department of
26 Public Instruction may use up to two hundred thousand dollars (\$200,000) to
27 administer the Program. The purpose of the Program is to fund high-quality,
28 independently validated extended learning and integrated student support
29 service programs for at-risk students whose learning has been negatively
30 affected by COVID-19 impacts. The programs funded shall raise standards
31 for student academic outcomes by focusing on the following:
32 a. Use of an evidence-based model with a proven track record of success.
33 b. Inclusion of rigorous, quantitative performance measures to confirm
34 effectiveness of the program.
35 c. Deployment of multiple tiered supports in schools to address student
36 barriers to achievement, such as strategies to improve chronic
37 absenteeism, antisocial behaviors, academic growth, and enhancement
38 of parent and family engagement.
39 d. Alignment with State performance measures, student academic goals,
40 and the North Carolina Standard Course of Study.
41 e. Prioritization in programs to integrate clear academic content, in
42 particular, science, technology, engineering, and mathematics (STEM)
43 learning opportunities or reading development and proficiency
44 instruction.
45 f. Minimization of student class size when providing instruction or
46 instructional supports and interventions.
47 g. Expansion of student access to high-quality learning activities and
48 academic support that strengthen student engagement and leverage
49 community-based resources, which may include organizations that
50 provide mentoring services and private-sector employer involvement.

1 h. Utilization of digital content to expand learning time, when
2 appropriate.

3 Grants shall be used to award funds for new or existing eligible programs for
4 at-risk students operated by (i) nonprofit corporations and (ii) nonprofit
5 corporations working in collaboration with local school administrative units.
6 Grant participants are eligible to receive grants in an amount of up to five
7 hundred thousand dollars (\$500,000) each year. Programs should focus on
8 servicing (i) at-risk students not performing at grade level as demonstrated by
9 statewide assessments or not on track to meet year-end expectations, as
10 demonstrated by existing indicators, including teacher identification, (ii)
11 students at risk of dropout, and (iii) students at risk of school displacement
12 due to suspension or expulsion as a result of antisocial behaviors. Priority
13 consideration shall be given to applications demonstrating models that focus
14 services and programs in schools that are identified as low-performing,
15 pursuant to G.S. 115C-105.37. A grant participant shall provide certification
16 to the Department of Public Instruction that the grants received under the
17 program shall be matched on the basis of three dollars (\$3.00) in grant funds
18 for every one dollar (\$1.00) in nongrant funds. Matching funds shall not
19 include State funds. The Department shall also give priority consideration to
20 an applicant that is a nonprofit corporation working in partnership with a local
21 school administrative unit resulting in a match utilizing federal funds under
22 Part A of Title I of the Elementary and Secondary Education Act of 1965, as
23 amended, or Title IV of the Higher Education Act of 1965, as amended, and
24 other federal or local funds. Matching funds may include in-kind contributions
25 for up to fifty percent (50%) of the required match. A nonprofit corporation
26 may act as its own fiscal agent for the purposes of this Program. Grant
27 recipients shall report to the Department of Public Instruction for the year in
28 which grant funds were expended on the progress of the Program, including
29 alignment with State academic standards, data collection for reporting student
30 progress, the source and amount of matching funds, and other measures. Grant
31 recipients shall also submit a final report on key performance data, including
32 statewide test results, attendance rates, graduation rates and promotion rates,
33 and financial sustainability of the program. The Department shall provide a
34 report on the Program to the Joint Legislative Education Oversight Committee
35 by February 15 of each year following the year in which grant funds are
36 awarded. The report shall include the results of the Program and
37 recommendations regarding effective program models, standards, and
38 performance measures based on student performance; leveraging of
39 community-based resources to expand student access to learning activities;
40 academic and behavioral support services; and potential opportunities for the
41 State to invest in proven models for future grants programs. Funds shall be
42 available for grants through the deadline established by applicable federal law
43 and guidance for use of funds from the ESSER II Fund.

44 (13) \$40,000,000 to be held in reserve by the Department to be allocated to public
45 school units to support in-person instruction programs to address learning loss
46 and provide enrichment activities in the summer. The allocation of grants shall
47 be prioritized to public school units based on need, as demonstrated by the
48 expenditure of existing federal funding received for COVID-19 related
49 impacts.

50 (14) \$26,046,144 to be held in reserve by the Department to be allocated to public
51 school units to support COVID-19 related needs, including in-person

1 instruction programs to address learning loss and provide enrichment
 2 activities in the summer. The allocation of grants shall be prioritized to public
 3 school units based on need, as demonstrated by the expenditure of existing
 4 federal funding received for COVID-19 related impacts.

5 (15) Up to \$8,012,955 to be used by the Department for administrative costs.

6 (16) If, on August 15, 2022, there are any remaining ESSER II funds from the
 7 allocations in subdivisions (1) through (11) and (13) and (14) of this section,
 8 those funds shall be reallocated to the reserve described under subsection (c1)
 9 of Section 5 of this act to be used for expenditure on or after that date to meet
 10 additional emergency needs of the elementary and secondary schools of the
 11 State, as determined by the State Board of Education."

12
 13 **ESSER II FUNDS**

14 **SECTION 1.3.** Section 5 of S.L. 2021-1 is amended by adding a new subsection to
 15 read:

16 "**SECTION 5.(c1)** After the Department of Public Instruction allocates federal grant funds
 17 to public school units pursuant to subsection (c) of Section 313 of P.L. 116-260, the State Board
 18 of Education shall reserve a portion of the remaining funds made available in the Elementary and
 19 Secondary School Emergency Relief II (ESSER II) Fund to be used to meet the emergency needs
 20 of the elementary and secondary schools of the State, pursuant to subsection (e) of Section 313
 21 of P.L. 116-260, in accordance with Section 5A of this act."

22
 23 **EMERGENCY RENTAL ASSISTANCE**

24 **SECTION 1.4.** Section 5 of S.L. 2021-1 reads as rewritten:

25 "**SECTION 5.(a)** Funds received from federal grants authorized under the Consolidated
 26 Appropriations Act, 2021, P.L. 116-260, for COVID-19 Vaccine Preparedness (Division M, Title
 27 III), for Elementary and Secondary School Emergency Relief Fund II (Division M, Title III), and
 28 for Emergency Rental Assistance (Division N, Title V) are appropriated in the amounts provided
 29 in the notification of award from the federal government or any entity acting on behalf of the
 30 federal government to administer the federal funds.

31 "**SECTION 5.(b)** The programs and grant amounts in the schedule set forth in this
 32 subsection are estimates of North Carolina's allocations from the Consolidated Appropriations
 33 Act, 2021, P.L. 116-260, for the programs listed in this subsection to be deposited in the State's
 34 Treasury and administered by the responsible agency. The responsible agencies may, with
 35 approval of the Director of the Budget, spend funds in the amounts received from the federal
 36 grants in this schedule. Positions created with such funds shall terminate at the earlier of the funds
 37 being fully expended or the deadline established by applicable federal law and guidance for use
 38 of the funds.

<u>Program (Responsible Agency)</u>	<u>Amount</u>
COVID-19 Vaccine Preparedness (Department of Health and Human Services)	\$94,768,784
Elementary and Secondary School Emergency Relief Fund II (Department of Public Instruction)	\$1,602,591,000
Emergency Rental Assistance (Office of Recovery and Resiliency, Department of Public Safety; Office of State Budget and Management)	\$546,597,070
Total Estimated Funding	\$2,243,956,854
...	\$2,243,955,888

49 "**SECTION 5.(e)** To the extent that current or future federal guidelines permit, the Office of
 50 Recovery and Resiliency (Office) shall administer the federal funds received for the Emergency
 51 Rental Assistance program described in this section in accordance with the following:

(1) Local governments listed in subdivision (3) of this subsection that received direct allocations from the federal Emergency Rental Assistance program shall be provided their maximum allotment, minus any pro-rata adjustments authorized in subsection (f) of this section, from the Office as described in subdivision (3) of this subsection and shall manage those funds in accordance with local priorities and federal requirements. Local governments that received direct allocations from the federal Emergency Rental Assistance program must exhaust their direct allocations before expending any of the State allotment provided in subdivision (3). The State allotments provided to local governments that received direct allocations from the federal Emergency Rental Assistance program may be reallocated following the submission of the report described in subsection (g) of this section.

(2) Allotments as listed in subdivision (3) of this subsection for counties that did not receive a direct allocation from the federal Emergency Rental Assistance program are the maximum aggregate amount to be provided to recipients renting housing in the respective county and the Office shall reserve the maximum amount to the respective county, minus any pro-rata adjustments authorized in subsection (f). The Office shall provide awards to recipients residing in the local governments described in this subdivision based upon the actual amount of monthly rent owed by the tenant pursuant to the rental agreement or the actual amount of utility costs owed by the recipient and shall not be subject to any allowable average or other formula-based calculation. The Office shall continue to provide awards for each county until the maximum allotment amount has been exhausted.

(3) The Office shall reserve or allot a maximum amount of federal funds it receives to eligible residents in each county in accordance with the following schedule:

<u>COUNTY</u>	<u>MAXIMUM ALLOCATION</u>
<u>Alamance County</u>	<u>\$11,177,275</u>
<u>Alexander County</u>	<u>2,607,617</u>
<u>Alleghany County</u>	<u>1,027,666</u>
<u>Anson County</u>	<u>2,288,574</u>
<u>Ashe County</u>	<u>2,502,784</u>
<u>Avery County</u>	<u>1,464,404</u>
<u>Beaufort County</u>	<u>3,635,144</u>
<u>Bertie County</u>	<u>1,910,763</u>
<u>Bladen County</u>	<u>2,959,405</u>
<u>Brunswick County</u>	<u>8,567,652</u>
<u>Buncombe County</u>	<u>10,126,014</u>
<u>Burke County</u>	<u>7,221,473</u>
<u>Cabarrus County</u>	<u>4,950,299</u>
<u>Caldwell County</u>	<u>6,474,413</u>
<u>Camden County</u>	<u>596,667</u>
<u>Carteret County</u>	<u>4,421,190</u>
<u>Caswell County</u>	<u>1,686,049</u>
<u>Catawba County</u>	<u>11,358,378</u>
<u>Chatham County</u>	<u>4,051,162</u>
<u>Cherokee County</u>	<u>2,557,195</u>
<u>Chowan County</u>	<u>1,130,810</u>
<u>Clay County</u>	<u>911,054</u>
<u>Cleveland County</u>	<u>8,136,058</u>

1	<u>Columbus County</u>	<u>5,366,755</u>
2	<u>Craven County</u>	<u>7,314,289</u>
3	<u>Cumberland County</u>	<u>17,398,891</u>
4	<u>Currituck County</u>	<u>1,500,884</u>
5	<u>Dare County</u>	<u>2,244,054</u>
6	<u>Davidson County</u>	<u>11,879,803</u>
7	<u>Davie County</u>	<u>2,565,624</u>
8	<u>Duplin County</u>	<u>4,996,991</u>
9	<u>Durham County</u>	<u>9,088,034</u>
10	<u>Edgecombe County</u>	<u>4,823,644</u>
11	<u>Forsyth County</u>	<u>16,010,132</u>
12	<u>Franklin County</u>	<u>4,642,382</u>
13	<u>Gaston County</u>	<u>8,405,226</u>
14	<u>Gates County</u>	<u>815,259</u>
15	<u>Graham County</u>	<u>704,205</u>
16	<u>Granville County</u>	<u>4,254,418</u>
17	<u>Greene County</u>	<u>1,803,582</u>
18	<u>Guilford County</u>	<u>20,578,731</u>
19	<u>Halifax County</u>	<u>4,935,567</u>
20	<u>Harnett County</u>	<u>9,344,006</u>
21	<u>Haywood County</u>	<u>4,614,768</u>
22	<u>Henderson County</u>	<u>7,279,220</u>
23	<u>Hertford County</u>	<u>2,135,606</u>
24	<u>Hoke County</u>	<u>4,359,892</u>
25	<u>Hyde County</u>	<u>437,682</u>
26	<u>Iredell County</u>	<u>10,172,569</u>
27	<u>Jackson County</u>	<u>3,516,245</u>
28	<u>Johnston County</u>	<u>6,419,397</u>
29	<u>Jones County</u>	<u>777,951</u>
30	<u>Lee County</u>	<u>4,445,554</u>
31	<u>Lenoir County</u>	<u>5,353,061</u>
32	<u>Lincoln County</u>	<u>4,669,742</u>
33	<u>McDowell County</u>	<u>3,771,421</u>
34	<u>Macon County</u>	<u>2,961,393</u>
35	<u>Madison County</u>	<u>1,660,905</u>
36	<u>Martin County</u>	<u>2,176,093</u>
37	<u>Mecklenburg County</u>	<u>27,611,773</u>
38	<u>Mitchell County</u>	<u>1,199,640</u>
39	<u>Montgomery County</u>	<u>2,233,607</u>
40	<u>Moore County</u>	<u>6,029,938</u>
41	<u>Nash County</u>	<u>7,080,463</u>
42	<u>New Hanover County</u>	<u>8,580,925</u>
43	<u>Northampton County</u>	<u>1,872,052</u>
44	<u>Onslow County</u>	<u>14,937,799</u>
45	<u>Orange County</u>	<u>7,636,241</u>
46	<u>Pamlico County</u>	<u>926,072</u>
47	<u>Pasquotank County</u>	<u>2,970,212</u>
48	<u>Pender County</u>	<u>3,990,020</u>
49	<u>Perquimans County</u>	<u>1,012,833</u>
50	<u>Person County</u>	<u>2,766,703</u>
51	<u>Pitt County</u>	<u>13,043,584</u>

1	<u>Polk County</u>	<u>1,483,152</u>
2	<u>Randolph County</u>	<u>10,953,729</u>
3	<u>Richmond County</u>	<u>4,228,682</u>
4	<u>Robeson County</u>	<u>13,728,554</u>
5	<u>Rockingham County</u>	<u>7,784,158</u>
6	<u>Rowan County</u>	<u>10,433,316</u>
7	<u>Rutherford County</u>	<u>5,750,933</u>
8	<u>Sampson County</u>	<u>5,278,982</u>
9	<u>Scotland County</u>	<u>3,395,528</u>
10	<u>Stanly County</u>	<u>4,117,222</u>
11	<u>Stokes County</u>	<u>3,328,179</u>
12	<u>Surry County</u>	<u>5,640,906</u>
13	<u>Swain County</u>	<u>1,183,813</u>
14	<u>Transylvania County</u>	<u>2,362,488</u>
15	<u>Tyrrell County</u>	<u>407,359</u>
16	<u>Union County</u>	<u>3,408,310</u>
17	<u>Vance County</u>	<u>4,208,012</u>
18	<u>Wake County</u>	<u>16,789,357</u>
19	<u>Warren County</u>	<u>2,036,688</u>
20	<u>Washington County</u>	<u>1,102,152</u>
21	<u>Watauga County</u>	<u>4,158,631</u>
22	<u>Wayne County</u>	<u>10,312,712</u>
23	<u>Wilkes County</u>	<u>5,778,403</u>
24	<u>Wilson County</u>	<u>7,371,289</u>
25	<u>Yadkin County</u>	<u>2,826,767</u>
26	<u>Yancey County</u>	<u>1,448,898</u>
27	<u>TOTAL</u>	<u>\$546,596,104</u>

"SECTION 5.(f) In accordance with applicable federal guidelines, the Office shall establish a hotline to provide eligible households with case management and other services related to the COVID-19 pandemic. The Office may use up to ten percent (10%) of funds received from the Emergency Rental Assistance Program for the hotline, housing stability services, and administrative costs; however, no more than five percent (5%) of funds received for the Emergency Rental Assistance program may be used for administrative costs, which include the costs associated with establishing a hotline. Expenses incurred under this subsection for housing stability services or administrative costs shall be deducted pro-rata from the maximum allotments by county listed in subdivision (3) of subsection (e) of this section.

"SECTION 5.(g) The Office shall submit a report no later than May 15, 2021, to the Chairs of the House Appropriations Committee, the Chairs of the Senate Appropriations/Base Budget Committee, and the Fiscal Research Division containing at least all of the following:

- (1) Amount of federal funds received from the Consolidated Appropriations Act, 2021, P.L. 116-260, actually expended, by county for rent and by county for utilities, under the Emergency Rental Assistance program.
- (2) Amount of federal funds received from the Consolidated Appropriations Act, 2021, P.L. 116-260, contractually obligated, by county for rent and by county for utilities, under the Emergency Rental Assistance program.
- (3) Recommendations on statewide reallocations, by county, needed in advance of the federal deadline for reallocation of unused funds, including rationale for the recommended reallocations and an estimate of the outstanding needs by county. The recommendation should also include any funds that are not anticipated to be needed for the ten percent (10%) set aside for housing stability services and administrative costs.

1 "SECTION 5.(h) In the event that the actual total amount of federal funds received from the
2 Emergency Rental Assistance program differs from the amount listed in Section 5(b) of S.L.
3 2021-1, the Office shall distribute the increased or reduced amounts proportionally in accordance
4 with the maximum county allotments."

6 **APPROPRIATION OF CERTAIN FEDERAL BLOCK GRANT FUNDS FOR DHHS**

7 **SECTION 1.5.(a)** There is appropriated from federal Child Care and Development
8 Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the federal
9 Consolidated Appropriations Act, 2021, to the Department of Health and Human Services,
10 Division of Child Development and Early Education (Division), the sum of three hundred
11 thirty-five million nine hundred twelve thousand three hundred ninety-three dollars
12 (\$335,912,393) in nonrecurring funds in response to the COVID-19 pandemic. For the remainder
13 of the 2020-2021 fiscal year, the Division shall pay for all copayment assistance for families
14 eligible for subsidized child care with Child Care and Development Block Grant funds received
15 pursuant to this subsection. The Child Care and Development Block Grant funds shall cover all
16 copays for families eligible for subsidized child care through the end of the 2020-2021 fiscal
17 year. Thereafter, the Division may use, in its discretion, the remainder of these funds on cleaning
18 and sanitation needs, operational grants for child care providers, and early childhood education
19 learning loss and summer enrichment activities. However, the Division shall not use funds
20 appropriated pursuant to this subsection for staff bonuses.

21 **SECTION 1.5.(b)** There is appropriated from federal Community Mental Health
22 Services Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the
23 federal Consolidated Appropriations Act, 2021, to the Department of Health and Human
24 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services,
25 the sum of forty-seven million four hundred sixty-five thousand eight hundred dollars
26 (\$47,465,800) in nonrecurring funds for mental health services in response to the COVID-19
27 pandemic. Of the funds appropriated under this section, the sum of two million one hundred
28 thousand dollars (\$2,100,000) shall be allocated for the North Carolina Statewide Telepsychiatry
29 Program (NC-STeP).

30 **SECTION 1.5.(c)** There is appropriated from federal Substance Abuse Prevention
31 and Treatment Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to
32 the federal Consolidated Appropriations Act, 2021, to the Department of Health and Human
33 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services,
34 the sum of eleven million two hundred forty-nine thousand forty-six dollars (\$11,249,046) in
35 nonrecurring funds to provide services across the State to those in need due to the COVID-19
36 pandemic.

38 **ALLOCATION OF ELC ENHANCING DETECTION THROUGH CORONAVIRUS** 39 **RESPONSE AND RELIEF SUPPLEMENTAL FUNDS**

40 **SECTION 1.6.** Funds received pursuant to Division M, Title III of the Consolidated
41 Appropriations Act, 2021 (P.L. 116-260), and appropriated under Section 1.1(a) of this act as
42 Enhancing Detection Through Coronavirus Response and Relief Supplemental Funds are
43 allocated to the Department of Health and Human Services, Division of Public Health, in the
44 amounts received in the notification of award from the federal government, for use in accordance
45 with guidance and regulations for the Centers for Disease Control and Prevention's Emerging
46 and Infection Disease Program (ELC) Enhancing Detection Expansion cooperative agreement as
47 follows:

- 48 (1) \$84,000,000 to be allocated to local health departments based upon the
49 percentage of the State population served by each of the local health
50 departments. Local health departments may not use the funds allocated under
51 this subdivision for any purpose other than a purpose allowed under the ELC

1 Enhancing Detection Expansion cooperative agreement grant. Local health
 2 departments shall use these allocated funds to supplement and not supplant
 3 existing funds for such allowable purposes.

4 (2) \$15,000,000 to be allocated to the North Carolina Policy Collaboratory
 5 (Collaboratory) at the University of North Carolina at Chapel Hill through a
 6 grant agreement, subcontract, or other subrecipient agreement that addresses,
 7 formally and in writing, the arrangements for the Collaboratory to meet the
 8 programmatic, administrative, financial, and reporting requirements of the
 9 ELC Enhancing Detection Expansion cooperative agreement grant, including
 10 those necessary to ensure compliance with all applicable federal regulations
 11 and policies. The Collaboratory shall use these funds to develop and manage
 12 a plan for an initiative to implement alternative COVID-19 surveillance
 13 methods throughout the State utilizing the resources of The University of
 14 North Carolina and other partnerships that complements the activities of the
 15 Division of Public Health with respect to alternative COVID-19 surveillance
 16 methods. The plan may include, but is not limited to, wastewater surveillance
 17 and genetic sequencing to identify and catalog variant strains of
 18 SARS-CoV-2. In developing the plan, the Collaboratory, in consultation with
 19 the Division of Public Health, shall ensure the following:

- 20 a. That all plan components comply with the goals and intent of the ELC
 21 Enhancing Detection Expansion cooperative agreement grant.
- 22 b. That the plan outlines a method for implementing the alternative
 23 COVID-19 surveillance methods utilizing the resources of The
 24 University of North Carolina.
- 25 c. That the plan includes alternative COVID-19 surveillance methods for
 26 as many of the 17 constituent institutions of The University of North
 27 Carolina as feasible. The plan may include additional sites at the
 28 discretion of the Collaboratory and subject to approval by the Division
 29 of Public Health.

30 The Division of Public Health shall not allocate any funds to the
 31 Collaboratory under this subdivision, and the Collaboratory shall not expend
 32 any funds allocated under this subdivision, until the CDC approves of
 33 expending ELC Enhancing Detection Expansion cooperative agreement grant
 34 funds as outlined in this subdivision and in the plan developed pursuant to this
 35 subdivision. In the event (i) the CDC disapproves of expending these funds as
 36 outlined in this subdivision, including any components of the plan developed
 37 pursuant to this subdivision, and (ii) the Collaboratory is unable to gain
 38 subsequent CDC approval through revisions to any disapproved plan
 39 components, then the CDC-disapproved plan components shall not be
 40 implemented, and the Division of Public Health may use unexpended funds
 41 from disapproved plan components for any other CDC-approved activity
 42 allowed under the ELC Enhancing Detection Expansion cooperative
 43 agreement grant.

44
 45 **APPROPRIATION OF FEDERAL GRANT FUNDS TO GDAC FOR COVID-19**
 46 **UPGRADES TO THE NC COVID VACCINE MANAGEMENT SYSTEM AND NC**
 47 **HEALTHCONNEX**

48 **SECTION 1.6A.** To the extent allowed under applicable federal laws and guidance,
 49 the Department of Health and Human Services (DHHS) shall allocate to the Department of
 50 Information Technology, Government Data Analytics Center (GDAC), the sum of up to three
 51 million dollars (\$3,000,000) from the COVID-19 Vaccine Preparedness grant funds described in

1 Section 5(b) of S.L. 2021-1 or from Federal Emergency Management Agency (FEMA) funds;
2 provided, however, that the total amount of the allocation shall not exceed the actual costs of the
3 projects authorized by this section. These funds shall be used to cover the costs of (i) integration
4 of the NC COVID Vaccine Management System (CVMS) with the statewide health information
5 exchange network known as NC HealthConnex and (ii) added functionality to both CVMS and
6 NC HealthConnex to support existing efforts to improve the State's public health response to
7 COVID-19. In the event the federal government disapproves of the DHHS allocating the
8 COVID-19 Vaccine Preparedness grant funds described in Section 5(b) of S.L. 2021-1 or FEMA
9 funds to the GDAC for these purposes, the DHHS shall allocate to the GDAC up to three million
10 dollars (\$3,000,000) of the ELC Enhancing Detection through Coronavirus Response and Relief
11 Supplemental funds described in Section 1.1(a) of this act to cover the costs of the projects
12 authorized by this section.

13
14 **APPROPRIATION OF CRRSAA FUNDS RECEIVED FOR TRANSPORTATION**
15 **PURPOSES AND OTHER ACTIONS TO BE TAKEN BY THE DEPARTMENT OF**
16 **TRANSPORTATION**

17 **SECTION 1.7.(a)** Grants-In-Aid for Airports. – Federal funds in the amount of one
18 million eighty-five thousand four hundred eighty-six dollars (\$1,085,486) received pursuant to
19 the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), for
20 Grants-In-Aid for Airports are appropriated to the Department of Transportation (Department)
21 in the amounts set forth in the Federal Aviation Administration (FAA) "Airports Coronavirus
22 Recovery Grants Program Allocations," dated February 19, 2021, and any amendments, to be
23 used and allocated by the Department in accordance with the regulations and guidance issued by
24 the FAA.

25 **SECTION 1.7.(b)** Highway Infrastructure Programs. – Federal funds received
26 pursuant to the CRRSAA for Highway Infrastructure Programs are appropriated to the
27 Department of Transportation in the amounts set forth in the Federal Highway Administration
28 (FHWA) "Apportionment of Highway Infrastructure Program Funds Pursuant to The
29 Coronavirus Response and Relief Supplemental Appropriations Act, 2021," dated January 15,
30 2021 (FHWA Apportionment Notice), and any amendments, for use in accordance with FHWA
31 regulations and guidance, and allocated by the Department as follows:

- 32 (1) \$229,282,615 to the Highway Fund that thereby fund and bill State
33 Transportation Improvement (STI) projects and use federal cash
34 reimbursements to advance STI projects delayed by the Department to
35 prevent, prepare for, and respond to the coronavirus. All funds shall be used
36 to advance delayed bridge replacement and interstate maintenance.
37 (2) \$29,454,289 to be suballocated to urbanized areas with a population of over
38 200,000 as set forth in the FHWA Apportionment Notice for use by the
39 recipient in accordance with FHWA regulations and guidelines.

40 **SECTION 1.7.(c)** Transit Infrastructure Grants. – Federal funds in the amount of
41 seven hundred eighty-one thousand eight hundred sixty-one dollars (\$781,861) received pursuant
42 to the CRRSAA for the Enhanced Mobility of Seniors and People with Disabilities Program (49
43 U.S.C. § 5310) are appropriated to the Department of Transportation in the amounts set forth in
44 the Federal Transit Administration (FTA) "Table 5: CRRSAA Apportionments for Enhanced
45 Mobility for Seniors and Individuals with Disabilities (Section 5310)," last updated January 11,
46 2021, and any amendments, to be used and allocated by the Department in accordance with the
47 regulations, guidance, and formulas issued by the FTA and the Department.

48 **SECTION 1.7.(d)** Salary Increases Prohibited. – CRRSAA funds appropriated by
49 this section may not be used to increase the salary or benefits, or both, of a Department employee.

50 **SECTION 1.7.(e)** Additional Funds for the Roadside Environmental Fund. – Of the
51 funds appropriated from the Highway Fund to the Department of Transportation for the

2020-2021 fiscal year, the sum of thirty million dollars (\$30,000,000) in nonrecurring funds shall be allocated to the Roadside Environmental Fund for litter removal and other activities programmed within the Roadside Environmental Unit. Notwithstanding G.S. 143C-6-11, these funds are hereby incorporated into the Department Spend Plan to be spent by the Department as allocated by this subsection. The funds allocated and authorized for expenditure under this subsection are in addition to the ninety million dollars (\$90,000,000) authorized in the Spend Plan, dated December 2, 2020 (Spend Plan), for expenditure by the Roadside Environmental Unit. CRRSAA funds appropriated in subsection (b) of this section shall not be used to replace funds allocated by this subsection or authorized for expenditure by the Roadside Environmental Unit in the Spend Plan.

SECTION 1.7.(f) Report. – Each fiscal quarter, the Department of Transportation shall report to the Joint Legislative Transportation Oversight Committee on the use of the funds appropriated in this section until all the CRRSAA funds are expended or have reverted.

REPORT ON USE OF FEDERAL GRANT FUNDS

SECTION 1.8.(a) The use of federal grant funds received under this Part shall be detailed in quarterly reports as provided in this subsection. A report required under this subsection shall include the amount of federal funds received; the amount of grant funds expended; how the funds were used, including program information such as number of people served and geographic distribution; the amount spent on administration; and the amount of funds that remained unspent. In addition, a report required under this subsection shall provide the number of full-time equivalent (FTE) positions established with funds received and, for each FTE position established, a position number, position status, date the position was established, hire date, and date on which the position is to be abolished. The requirement to submit a report under this subsection shall end upon submission of the final report from each entity that receives federal grant funds under this Part, which shall be no later than 90 days from the date the grant period ends for the relevant funds. The required quarterly report, the reporting entity, and the timing are as follows:

- (1) Each public school unit receiving federal grant funds under this Part, beginning April 1, 2021, and quarterly thereafter, shall submit the report to the Department of Public Instruction. The Department of Public Instruction, beginning May 1, 2021, and quarterly thereafter, shall collate and submit the reports into a single, consolidated report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division.
- (2) Each State agency or department receiving federal grant funds under this Part, beginning April 1, 2021, shall submit the report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division.

SECTION 1.8.(b) The appropriation of funds under this Part does not obligate the State or create an ongoing obligation of the State for future appropriations for programs or other purposes for which the funds shall be used.

PART II. VARIOUS CHANGES TO COVID-19 PANDEMIC RELIEF LEGISLATION

MEDICAID TEMPORARILY-INCREASED REIMBURSEMENT RATES

SECTION 2.1. Section 4.6 of S.L. 2020-4 reads as rewritten:

"SECTION 4.6. In addition to the five percent (5%) rate increases already requested by the Department of Health and Human Services (DHHS) in the 1135 Medicaid disaster State Plan amendment (SPA) submitted to the Centers for Medicare and Medicaid Services on April 8, 2020, for certain provider types, DHHS shall increase the fee-for-service Medicaid rates paid directly by the Division of Health Benefits for all remaining provider types by five percent (5%).

1 The rate increases authorized under this section shall be effective March 1, 2020. Any rate
2 increases authorized under this section shall expire on the earlier of the following dates:

- 3 (1) The date the declared nationwide public health emergency as a result of the
4 2019 novel coronavirus expires.
- 5 (2) The date Executive Order No. 116, Declaration of a State of Emergency to
6 Coordinate Response and Protective Actions to Prevent the Spread of
7 COVID-19 expires or is rescinded.
- 8 (3) ~~March 31, 2021.~~ June 30, 2021.

10 STUDENT CONNECTIVITY FUNDS FOR COMPLIMENTARY INTERNET SERVICE

11 **SECTION 2.2.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,
12 Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, Section
13 4.9(a) of S.L. 2020-91, Section 1.2 of S.L. 2020-97, and Section 3.2 of S.L. 2021-1, reads as
14 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 (8) \$21,000,000 to the Department of Public Instruction to improve ~~Internet~~
19 internet connectivity for students, in response to COVID-19, by providing
20 community and home mobile ~~Internet-internet~~ access points. These funds shall
21 be used only for the purchase of devices and not for subscription services. For
22 purposes of this subdivision, the term "subscription services" does not include
23 internet service provided as part of the purchase price of a device or internet
24 service purchased for a device without an ongoing monthly subscription.

25"

27 EXTEND WAIVER OF UNC STUDENT INTEREST CHARGES ON PAST DUE 28 ACCOUNTS

29 **SECTION 2.3.** Section 2.28 of S.L. 2020-3 reads as rewritten:

30 **"SECTION 2.28.** Notwithstanding G.S. 147-86.23, a constituent institution of The
31 University of North Carolina shall not accrue or charge any interest to a past-due account
32 receivable held by a student between March 13, 2020, and ~~September 15, 2020.~~ December 31,
33 2021."

35 PROVIDE TEMPORARY EXCEPTION TO LEAVE RULES FOR UNC STATE 36 EMPLOYEES

37 **SECTION 2.4.(a)** Employees of The University of North Carolina who are subject
38 to the North Carolina Human Resources Act may use accrued sick, vacation, and bonus leave for
39 any coronavirus disease 2019 (COVID-19) related absences, including child care or inability to
40 telework. This section does not apply to leave options related to (i) terminal leave payouts for
41 transfers, separations, or reductions in force, (ii) terminal use of leave prior to retirement, or (iii)
42 unpaid time due to placement on a temporary emergency furlough.

43 **SECTION 2.4.(b)** This section expires December 31, 2021.

45 EXTEND VIRTUAL CHARTER SCHOOL ENROLLMENT AUTHORITY

46 **SECTION 2.5.** Section 3.2 of S.L. 2020-97 reads as rewritten:

47 **"SECTION 3.2.(a)** Notwithstanding Section 8.35(b) of S.L. 2014-100, as amended by
48 Section 7.13 of S.L. 2018-5, the two virtual charter schools participating in the pilot program
49 pursuant to Section 8.35 of S.L. 2014-100, as amended, shall be permitted to increase student
50 enrollment for the 2020-2021 school year and 2021-2022 school year only as follows: (i) North
51 Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and (ii)

1 North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students.
2 A virtual charter school permitted an increase in student enrollment pursuant to this section shall
3 give enrollment priority to students for the ~~2021-2022-2022-2023~~ school year who were enrolled
4 in the school for the 2020-2021 school year prior to the date this act became law.

5 **"SECTION 3.2.(b)** The virtual charter schools shall provide ~~an interim report~~ reports by
6 March 15, 2021, and March 15, 2022, and a final report by November 15, ~~2021, 2022,~~ to the
7 Joint Legislative Education Oversight Committee, on the impact of the increase in student
8 enrollment permitted by subsection (a) of this section, including data on where students had been
9 previously enrolled by local school administrative unit, charter school, or nonpublic school, the
10 grade level of students, the withdrawal rate of students after enrollment, and any student
11 performance and accountability data."
12

13 **REQUIRE LOCAL GOVERNMENTS TO ISSUE TEMPORARY CERTIFICATE OF** 14 **COMPLIANCE/OCCUPANCY TO HEALTH SERVICE FACILITIES**

15 **SECTION 2.7.(a)** Notwithstanding G.S. 136-18(5), 136-18(29), 136-93,
16 160D-1116, and any other provision of law to the contrary, a local government shall issue a
17 temporary certificate of compliance and temporary certificate of occupancy to a health service
18 facility (facility) allowing for the full operational use of the facility in the following
19 circumstances:

- 20 (1) The facility building is currently under construction, and the scheduled
21 construction completion date for the building will occur before rescission of
22 the COVID-19 emergency declaration.
- 23 (2) Subject to subdivision (3) of this section, the facility building complies with
24 all applicable State and local laws and the terms of the building permit, and
25 the facility building may be safely occupied.
- 26 (3) The only portions of the construction project remaining to be completed are
27 off-site improvements to public roadways that were identified by the Traffic
28 Impact Analysis for the project and required as conditions for the approval of
29 the permit, and the facility agrees to (i) complete the roadway improvements
30 within 18 months of the date of the certificate of occupancy and (ii) post a
31 corresponding performance bond or letter of credit. The performance bond
32 completion date and letter of credit expiration date, and all other terms of both
33 instruments, shall remain in force notwithstanding the rescission of the
34 COVID-19 emergency declaration prior to the completion of the roadway
35 improvements.

36 For purposes of this section, the term "local government" has the same meaning as in
37 G.S. 160D-1116, the term "health service facility" has the same meaning as in G.S. 131E-176,
38 and the term "COVID-19 emergency declaration" means Executive Order No. 116 issued March
39 10, 2020.

40 **SECTION 2.7.(b)** This section is effective when it becomes law and expires upon
41 rescission of the COVID-19 emergency declaration or upon completion of the roadway
42 improvements as agreed to by the facility, whichever is later.
43

44 **VACCINE ADMINISTRATION/PHARMACY TECHNICIANS AND INTERNS**

45 **SECTION 2.8.(a)** Section 3D.3 of S.L. 2020-3 reads as rewritten:

46 "...

47 **"SECTION 3D.3.(c1)** The State Health Director shall amend, reissue, or replace any existing
48 statewide standing order issued pursuant to this section, to ensure that the statewide standing
49 order is consistent with federal law and guidance pertaining to qualified individuals who may
50 administer a COVID-19 vaccine, including P.L. 109-148, "The Public Readiness and Emergence
51 Preparedness Act," as amended, and associated declarations of public health emergencies and

1 advisory opinions issued by the Secretary of the United States Department of Health and Human
2 Services.

3 "**SECTION 3D.3.(d)** All of the following individuals shall be immune from any civil or
4 criminal liability for actions authorized by this section as follows:

- 5 (1) The State Health Director acting pursuant to this section.
- 6 (2) Any pharmacist or qualified individual under State or federal law who
7 administers a COVID-19 immunization or vaccine pursuant to a statewide
8 standing order issued under this section.

9"

10 **SECTION 2.8.(b)** This section is effective when it becomes law.

11 **PHARMACISTS/LONG-ACTING INJECTABLES**

12 **SECTION 2.9.(a)** G.S. 90-85.15B is amended by adding a new subsection to read:

13 "(c1) An immunizing pharmacist may administer a long-acting injectable medication to
14 persons at least 18 years of age pursuant to a specific prescription order initiated by a prescriber
15 following a physical examination of the patient by the prescriber. An immunizing pharmacist
16 who administers a long-acting injectable medication pursuant to this section shall do all of the
17 following:

- 18 (1) Maintain a record of any administration of a long-acting injectable performed
19 by the immunizing pharmacist to the patient in a patient profile or record.
- 20 (2) Within 72 hours after the administration of the long-acting injectable
21 performed by the immunizing pharmacist to the patient, notify the prescriber
22 regarding which medication and dosage was administered to the patient."

23 **SECTION 2.9.(b)** G.S. 90-85.3(i1) reads as rewritten:

24 "(i1) "Immunizing pharmacist" means a licensed pharmacist who meets all of the following
25 qualifications:

- 26 ...
- 27 (6) Administers ~~vaccines~~ vaccines, long-acting injectable medications, or
28 immunizations in accordance with G.S. 90-18.15B."

29 **SECTION 2.9.(c)** The North Carolina Board of Pharmacy may adopt temporary
30 rules to implement this section.

31 **SECTION 2.9.(d)** This section becomes effective October 1, 2021.

32 **NOTARY/VIDEO WITNESS EXTENSIONS**

33 **SECTION 2.10.(a)** G.S. 10B-25(n) reads as rewritten:

34 "(n) This section shall expire at 12:01 A.M. on ~~March 1, 2021;~~ December 31, 2021;
35 provided, however, all notarial acts made in accordance with this section and while this section
36 is in effect shall remain effective and shall not need to be reaffirmed."

37 **SECTION 2.10.(b)** G.S. 10B-200(b) reads as rewritten:

38 "(b) This Article expires ~~March 1, 2021.~~ December 31, 2021."

39 **SECTION 2.10.(c)** This section becomes effective March 1, 2021.

40 **VIRTUAL EDUCATION REQUIREMENTS/REAL ESTATE APPRAISERS**

41 **SECTION 2.11.(a)** The North Carolina Appraisal Board may amend, extend, or
42 adopt emergency rules to modify any educational requirements implemented by the Board, in
43 accordance with Section 3.20 of S.L. 2020-97. Notwithstanding Section 3.20(e) of S.L. 2020-97,
44 any emergency rules adopted pursuant to this section shall expire on December 31, 2021.

45 **SECTION 2.11.(b)** This section is effective when it becomes law.

46 **HEALTH CARE PROVIDER LIABILITY CLARIFICATION**

47 **SECTION 2.13.(a)** Section 3D.7(b) of S.L. 2020-3 reads as rewritten:

1 "SECTION 3D.7.(b) This section is effective when it becomes law and applies to acts or
2 omissions occurring during either the time-pendency of Executive Order No. 116 issued on
3 March 10, 2020, by Governor Roy A. Cooper, ~~and or during~~ any subsequent time period during
4 which a state of emergency is declared to be in effect ~~during calendar year 2020~~ by the ~~Governor~~
5 Governor, in any year, in response to COVID-19."

6 SECTION 2.13.(b) The clarifications in this section are consistent with the intent
7 and purpose of this section as originally enacted in S.L. 2020-3.

8 9 VACCINE VOLUNTEERS

10 SECTION 2.14.(a) G.S. 90-21.132(7) is amended by adding a new sub-subdivision
11 to read:

12 "(7) Health care provider. –

13 ...

14 j. An individual who volunteers to assist a State agency, department, or
15 approved organization in the administration of COVID-19
16 vaccinations, including clinical, clinical support, and nonclinical
17 support activities."

18 SECTION 2.14.(b) This section is effective when it becomes law and applies
19 retroactively to acts or omissions occurring during the time of Executive Order No. 116 issued
20 on March 10, 2020, by Governor Roy A. Cooper.

21 22 LIMIT PAPERWORK FOR CERTAIN UNCLAIMED PROPERTY

23 SECTION 2.16. Section 2.6(b) of S.L. 2020-80 is repealed.

24 25 TEMPORARY FLEXIBILITY QIPS/EXTEND SUNSET

26 SECTION 2.17. Section 3D.5(e) of S.L. 2020-3 reads as rewritten:

27 "SECTION 3D.5.(e) This section is effective when it becomes law and expires ~~December~~
28 31, 2021. December 31, 2022."

29 30 PRESCRIPTION DRUG ACCESS FOR CERTAIN EXPIRED IDENTIFICATION

31 SECTION 2.18.(a) Notwithstanding the provisions of subsection (h) of G.S. 90-91,
32 subsection (d) of G.S. 90-93, subsection (a) of G.S. 90-106.1, G.S. 90-113.52, or any other
33 provision of law to the contrary, a pharmacist may dispense the following controlled substances
34 to individuals who present (i) a valid prescription for the controlled substance, if one is required
35 under current law, and (ii) a North Carolina drivers license or identification card that expired
36 while Executive Order No. 116 (2020), Declaration of a State of Emergency to Coordinate
37 Response and Protective Actions to Prevent the Spread of COVID-19, remains in effect:

38 (1) Paregoric, U.S.P.

39 (2) Any Schedule II controlled substances.

40 (3) Any of the Schedule III controlled substances listed in subdivisions (1)
41 through (8) of subsection (d) of G.S. 90-91.

42 (4) Any Schedule V controlled substances.

43 (5) Pseudoephedrine products.

44 SECTION 2.18.(b) This section is effective when it becomes law and expires six
45 months after the date the Governor signs an executive order rescinding said Executive Order No.
46 116 (2020), Declaration of a State of Emergency to Coordinate Response and Protective Actions
47 to Prevent the Spread of COVID-19, or December 31, 2021, whichever is earlier.

48 49 ALLOW TOURISM DEVELOPMENT AUTHORITIES TO ACCESS PPP LOANS

50 SECTION 2.19.(a) Chapter 153A of the General Statutes is amended by adding a
51 new Article to read:

"Article 21.

"Tourism Development Authorities.

"§ 153A-406. Definitions.

The following definitions apply in this Article:

- (1) Economic Aid Act. – The Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Title III) of the Consolidated Appropriations Act, 2021, P.L. 116-260.
- (2) PPP loan. – A federal loan enacted under sections 1102 and 1106 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136, and as amended by the Economic Aid Act.
- (3) Tourism development authority. – A public authority under the Local Government Budget and Fiscal Control Act established by resolution adopted by the board of county commissioners to receive and expend the net proceeds of an occupancy tax.

"§153A-407. Borrowing authority for PPP loans.

(a) Authority. – A tourism development authority may enter into a PPP loan. A tourism development authority shall comply with all the requirements and limitations of the PPP loan program and shall apply for forgiveness of the loan in a timely manner.

(b) No Power to Obligate State or County. – A tourism development authority may not obligate the State or the county that established the authority to repay a PPP loan and has no power to pledge the credit of the State or the county that established the authority.

(c) Notice. – A tourism development authority shall provide written notice to the board of commissioners within 30 days of its acceptance of a PPP loan. The notice shall include the loan amount, the covered period, and the date by which the authority must apply for forgiveness.

(d) Repayment. – Notwithstanding any limitation on the use or distribution of occupancy tax proceeds in a local act, a tourism development authority for which a PPP loan is not forgiven, in whole or in part, shall repay the loan, including interest, from occupancy tax proceeds remitted to the authority on or after receipt of the PPP loan proceeds.

(e) Sunset. – This Article is repealed effective January 1, 2022."

SECTION 2.19.(b) Chapter 160A of the General Statutes is amended by adding a new Article to read:

"Article 31.

"Tourism Development Authorities.

"§ 160A-800. Definitions.

The following definitions apply in this Article:

- (1) Economic Aid Act. – The Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Title III) of the Consolidated Appropriations Act, 2021, P.L. 116-260.
- (2) PPP loan. – A federal loan enacted under sections 1102 and 1106 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136, and as amended by the Economic Aid Act.
- (3) Tourism development authority. – A public authority under the Local Government Budget and Fiscal Control Act established by resolution adopted by the council of a municipality to receive and expend the net proceeds of an occupancy tax.

"§160A-801. Borrowing authority for PPP loans.

(a) Authority. – A tourism development authority may enter into a PPP loan. A tourism development authority shall comply with all the requirements and limitations of the PPP loan program and shall apply for forgiveness of the loan in a timely manner.

1 (b) No Power to Obligate State or City. – A tourism development authority may not
2 obligate the State or the city that established the authority to repay a PPP loan and has no power
3 to pledge the credit of the State or the city that established the authority.

4 (c) Notice. – A tourism development authority shall provide written notice to the city
5 within 30 days of its acceptance of a PPP loan. The notice shall include the loan amount,
6 the covered period, and the date by which the authority must apply for forgiveness.

7 (d) Repayment. – Notwithstanding any limitation on the use or distribution of occupancy
8 tax proceeds in a local act, a tourism development authority for which a PPP loan is not forgiven,
9 in whole or in part, shall repay the loan, including interest, from occupancy tax proceeds remitted
10 to the authority on or after receipt of the PPP loan proceeds.

11 (e) Sunset. – This Article is repealed effective January 1, 2022."

12 **SECTION 2.19.(c)** This section is effective when it becomes law.

13 14 **PREPAID HEALTH PLAN ACCESS TO NC IMMUNIZATION REGISTRY** 15 **INFORMATION**

16 **SECTION 2.20.** Notwithstanding any provision of Chapter 130A of the General
17 Statutes or any other provision of law to the contrary, the Department of Health and Human
18 Services shall, by July 1, 2021, grant each prepaid health plan, as defined in G.S. 108D-1, access
19 to client-specific immunization information contained within the secure, web-based North
20 Carolina Immunization Registry.

21 22 **CLARIFY DEVELOPMENT APPROVAL EXTENSION**

23 **SECTION 2.21.(a)** Section 3.21 of S.L. 2020-97 reads as rewritten:

24 **"REEXTEND CERTAIN LOCAL GOVERNMENT APPROVALS AFFECTING THE** 25 **DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE**

26 ...

27 **"SECTION 3.21.(b)** For any development approval that is current and valid at any point
28 during the period beginning September 2, 2020, and ending 30 days after Executive Order No.
29 116 is rescinded, the expiration date of the period of the development approval and any associated
30 vested right under G.S. 160D-108 or G.S. 160D-108.1 is automatically extended ~~120~~ 150 days
31 from the ~~expiration date.~~ date the Executive Order is rescinded.

32 ...

33 **"SECTION 3.21.(g)** This section is effective when it becomes law and expires 30 days after
34 Executive Order No. 116 is rescinded. Any development approval extended in accordance with
35 subsection (b) of this section shall remain in effect until ~~its expiration date~~ 150 days from the
36 date the Executive Order is rescinded in accordance with subsection (b) of this section."

37 **SECTION 2.21.(b)** This section is effective when it becomes law and applies
38 retroactively to vested rights existing on and after September 4, 2020.

39 40 **EXPAND ACCESS TO EMERGENCY MEAT PROCESSING GRANTS**

41 **SECTION 2.22.** Section 4.2A of S.L. 2020-4, as enacted by Section 1.1(e) of S.L.
42 2020-80 and amended by Section 1.4A of S.L. 2020-97, reads as rewritten:

43 **"SECTION 4.2A.(a)** Findings. – The General Assembly finds that the COVID-19
44 emergency has resulted in serious and substantial impacts on the food supply chain. In particular,
45 small livestock producers in the State have found that bottlenecks and lack of capacity among
46 the small and independent meat processors and producers of further processed meat products
47 who serve small livestock producers due to COVID-19 related slowdowns and capacity
48 reductions have had a substantial negative impact on their ability to have their animals
49 slaughtered and processed. Seafood processors lack capacity to meet increased and altered
50 consumer demand for seafood products due to COVID-19 related changes in the market for
51 seafood and seafood products. The General Assembly further finds that financial assistance to

1 these processors for physical expansion and facility improvements, for workforce development,
2 and for the creation of additional processing capacity is necessary to reduce disruptions in the
3 supply chain for fresh meat and seafood and to help small producers get their product to market.
4 ...

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

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

- 9 a. Capacity enhancement grant. – This grant is available to an eligible
10 meat or seafood processing facility that is experiencing slowdowns in
11 production or has limited capacity to accommodate increased demand
12 for meat processing due to the COVID-19 pandemic. A capacity
13 enhancement grant may be used for expansion of an existing eligible
14 facility and for fixtures or equipment at an existing eligible facility that
15 will expand animal throughput, processing capacity, the amount or
16 type of products produced, or processing speed.
- 17 b. Workforce development grant. – This grant is available to an eligible
18 meat processing facility that is experiencing slowdowns in production
19 or has limited capacity to accommodate increased demand for meat
20 processing due to workforce limitations or reductions due to the
21 COVID-19 pandemic. A workforce development grant may be used
22 for educational and workforce training provided either by the facility
23 or by an institution of higher education.
- 24 c. Planning grant. – This grant is available to a nonprofit entity or
25 institution of higher education to complete feasibility or siting studies
26 for a new eligible meat processing facility.

27 (2) Eligible facility. – For purposes of this section, an eligible meat processing
28 facility ~~is~~ includes the following:

- 29 a. ~~a~~–A food processing facility that meets both of the following
30 requirements:
- 31 ~~a.1.~~ The plant contracts with independent livestock producers or
32 seafood harvesters to process animals or seafood.
- 33 ~~b.2.~~ The United States Department of Agriculture (USDA)
34 contracts with Department inspectors to conduct federal
35 inspection activities authorized by the Talmadge-Aiken Act of
36 1962 (7 U.S.C. § 1633) at the plant, the plant is otherwise
37 regulated by the USDA or the FDA, or the plant is a
38 State-inspected facility.
- 39 b. A facility producing further processed meat products for which the
40 United States Department of Agriculture (USDA) contracts with
41 Department inspectors to conduct federal inspection activities
42 authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at
43 the plant, or which is a State-inspected facility, or which is a USDA
44 inspected processor of shelf-stable meat or meat products.

45 (3) The Department may prioritize projects that will create additional jobs.

46 (4) Recipients shall provide matching funds for the grant in the amount of one
47 dollar (\$1.00) from nongrant sources for every two dollars (\$2.00) provided
48 by the grant.

49"

50
51 **NEW ATTORNEYS' OATH**

1 **SECTION 2.23.(a)** Notwithstanding G.S. 84-1, in response to the coronavirus
2 emergency, a justice or judge of the General Court of Justice may administer the required oath
3 prescribed for attorneys by G.S. 11-11 to an attorney remotely using a form of live video
4 conferencing technology, provided the individual taking the oath is personally known to the
5 justice or judge or provides satisfactory evidence of identity to the justice or judge.

6 **SECTION 2.23.(b)** This section is effective when it becomes law and expires
7 December 1, 2021.

8 9 **PART III. CORONAVIRUS RELIEF FUND REALLOCATIONS**

10 **SECTION 3.1.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,
11 Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, Section
12 4.9(a) of S.L. 2020-91, and Section 1.2 of S.L. 2020-97, reads as rewritten:

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

15 ...

16 (45) ~~\$75,000,000~~ \$83,000,000 to OSBM for Golden LEAF to provide loans in
17 accordance with Section 4.2 of this act.

18 ...

19 (47) ~~\$20,250,000~~ \$26,250,000 to the Department of Agriculture and Consumer
20 Services to be used to provide support for meat processing facilities and for
21 seafood processing facilities in accordance with Section 4.2A of this act.

22 ...

23 (52) ~~\$120,000,000~~ \$80,000,000 to the Department of Public Safety, Division of
24 Emergency Management to be used as the State match for any Federal
25 Emergency Management Agency public assistance funds provided in
26 response to the COVID-19 pandemic.

27 ...

28 (94) ~~\$14,300,000~~ \$5,300,000 to OSBM for the ~~PPE-NC Initiative, a partnership~~
29 ~~between the Manufacturing Solutions Center (MSC) at Catawba Valley~~
30 ~~Community College, Gaston College's Textile Technology Center, the City of~~
31 ~~Conover, Gaston County, and the private sector to create a launch pad for~~
32 ~~prototyping and testing reusable personal protective equipment (PPE)~~
33 ~~products for entrepreneurs and existing manufacturers in response to the~~
34 ~~COVID-19 pandemic. The funds shall be allocated by OSBM as follows:~~

35 a. ~~\$9,000,000 as a grant to the City of Conover for the following~~
36 ~~purposes:~~

37 1. ~~\$7,250,000 shall be used to construct a purpose-built facility to~~
38 ~~house testing labs, rapid prototyping, and a textile sourcing~~
39 ~~library.~~

40 2. ~~\$1,250,000 shall be used for a clean room upfit for MSC~~
41 ~~facilities.~~

42 3. ~~\$500,000 shall be used for equipment, materials, and logistics~~
43 ~~for a rapid prototyping pilot line to create product and to train~~
44 ~~a workforce for United States manufacturers of PPE.~~

45 b. ~~\$5,300,000 as a grant to Gaston County to construct an Incubator and~~
46 ~~Extrusion Center for Advanced Fibers for Gaston College's Textile~~
47 ~~Technology Center.~~

48 ...

49 (116) \$6,000,000 to the Department of Agriculture and Consumer Services to
50 distribute equally among each of the food banks in this State. The food banks

1 are encouraged to use the funds allocated in this subdivision to purchase food
 2 from North Carolina-based farmers and vendors.

3 (117) \$8,000,000 to the Department of Administration for the ReTOOLNC grant
 4 program to provide additional funds to assist State-certified, minority-owned,
 5 and women-owned businesses in their recovery from the economic impacts of
 6 the COVID-19 pandemic.

7 (118) \$3,000,000 to the Department of Commerce for a North Carolina nonprofit
 8 corporation with which the Department contracts pursuant to
 9 G.S. 143B-431.01(b) as a stimulus investment in North Carolina's marketing
 10 budget to be used to market North Carolina.

11 (119) \$1,000,000 to the Department of Agriculture and Consumer Services to
 12 market North Carolina's agricultural products and State-owned attractions.

13 (120) \$2,000,000 to the Department of Agriculture and Consumer Services for the
 14 Farm Worker Quarantine Program (Program). The Program shall provide
 15 funding to reimburse eligible expenses for eligible farm workers required to
 16 quarantine apart from family members or coworkers following a positive test
 17 for COVID-19. For purposes of this subdivision, an "eligible expense" is the
 18 cost of meals and lodging for the duration of the quarantine period, not to
 19 exceed the per diem rates for federal employee travel determined by the
 20 United States General Services Administration, and an "eligible farm worker"
 21 is a worker who (i) is an alien, as described by 8 U.S.C. §
 22 1101(a)(15)(H)(ii)(a), and (ii) is performing agricultural labor or services on
 23 a farm in the State."

24 **SECTION 3.2.(a)** There is appropriated from the General Fund to the Office of State
 25 Budget and Management the sum of nine million dollars (\$9,000,000) in nonrecurring funds for
 26 the 2020-2021 fiscal year to be allocated as a grant to the City of Conover for the following
 27 purposes:

- 28 (1) To construct a purpose-built facility to house testing labs, rapid prototyping,
 29 and a textile sourcing library.
- 30 (2) For a clean room upfit for MSC facilities.
- 31 (3) For equipment, materials, and logistics for a rapid prototyping pilot line to
 32 create product and to train a workforce for United States manufacturers of
 33 PPE.

34 **SECTION 3.2.(b)** The funds appropriated in this section shall not revert until June
 35 30, 2022.

36 **SECTION 3.3.** Section 4.1 of S.L. 2021-1 reads as rewritten:

37 **"SECTION 4.1.(a)** There is transferred from the General Fund to the State Capital and
 38 Infrastructure Fund, established pursuant to G.S. 143C-3-4.1, the sum of ~~thirty-nine~~ forty-five
 39 million dollars (~~\$39,000,000~~) (\$45,000,000) for the 2020-2021 fiscal year.

40 **"SECTION 4.1.(b)** There is appropriated from the State Capital and Infrastructure Fund to
 41 the Growing Rural Economies with Access to Technology Fund, established pursuant to
 42 G.S. 143B-1373(b), the sum of ~~thirty-nine~~ forty-five million dollars (~~\$39,000,000~~) (\$45,000,000)
 43 for the 2020-2021 fiscal year. Of the funds appropriated in this section, ~~thirty~~ thirty-six million
 44 dollars (~~\$30,000,000~~) (\$36,000,000) shall be distributed in the special supplementary grant
 45 process established in Section 4.17 of S.L. 2020-4, as amended in this act. The remaining amount
 46 shall be used to fund supplementary project grants previously ~~awarded~~ submitted and ranked for
 47 awards. The funds appropriated in this section shall remain available until expended and shall
 48 not revert. All grant awards shall be completed by the Department of Information Technology
 49 on or before April 15, 2021."

50 **SECTION 3.4.** Section 8 of S.L. 2020-64, as amended by Section 3.7 of S.L. 2021-1,
 51 reads as rewritten:

1 "...

2 "SECTION 8.(b) Transfer. – The State Controller shall transfer the sum of six hundred
3 ~~eighty-four-ninety-nine~~ million four hundred thousand dollars ~~(\$684,400,000)~~ ~~(\$699,400,000)~~
4 from the Coronavirus Relief Reserve established in Section 2.1 of S.L. 2020-4 to the Coronavirus
5 Relief Fund established in Section 2.2 of that same act.

6 "SECTION 8.(c) Appropriation. – There is appropriated from the Coronavirus Relief Fund
7 to the Office of State Budget and Management (OSBM) the sum of six hundred ~~eighty-four~~
8 ~~ninety-nine~~ million four hundred thousand dollars ~~(\$684,400,000)~~ ~~(\$699,400,000)~~ in
9 nonrecurring funds for the 2020-2021 fiscal year to be used to offset General Fund appropriations
10 across State government for allowable expenditures of funds from the Coronavirus Relief Fund.

11 "SECTION 8.(d) Creation of Reserve. – There is created in the General Fund a Statewide
12 Reserve for Appropriations (Reserve) (Budget Code: 190XX). The Reserve shall have a
13 beginning negative appropriation balance of six hundred ~~eighty-four-ninety-nine~~ million four
14 hundred thousand dollars ~~(\$699,400,000)~~ ~~(\$684,400,000)~~. By June 30, 2021, the Reserve shall
15 have a balance of zero dollars (\$0.00).

16"

17 SECTION 3.5.(a) Section 3.1 of S.L. 2020-4, as amended by Section 1 of S.L.
18 2020-32, Section 1.1(b) of S.L. 2020-80, Section 1.1(a) of S.L. 2020-97, and Section 3.8(a) of
19 S.L. 2021-1, reads as rewritten:

20 "SECTION 3.1. Transfer of Funds from Reserves to Relief Fund. – The State Controller
21 shall transfer the sum of two billion three hundred ~~twenty-four-nine~~ million three hundred ninety
22 thousand six hundred forty-six dollars ~~(\$2,324,390,646)~~ ~~(\$2,309,390,646)~~ for the 2019-2020
23 fiscal year from the Reserve established in Section 2.1 of this act, and the sum of three hundred
24 million dollars (\$300,000,000) for the 2019-2020 fiscal year from the Local Government
25 Coronavirus Relief Reserve established in Section 2.3 of this act, to the Fund established in
26 Section 2.2 of this act. All interest earned on funds held in the Reserve shall be transferred to the
27 Coronavirus Relief Fund."

28 SECTION 3.5.(b) Section 3.2 of S.L. 2020-4, as amended by Section 2 of S.L.
29 2020-32, Section 1.1(c) of S.L. 2020-80, Section 1.1(b) of S.L. 2020-97, and Section 3.8(b) of
30 S.L. 2021-1, reads as rewritten:

31 "SECTION 3.2. Appropriation of Funds from Relief Fund to OSBM. – There is appropriated
32 from the Fund to OSBM the sum of two billion six hundred ~~twenty-four-nine~~ million three
33 hundred ninety thousand six hundred forty-six dollars ~~(\$2,624,390,646)~~ ~~(\$2,609,390,646)~~ in
34 nonrecurring funds for the 2019-2020 fiscal year to be allocated and used as provided in Section
35 3.3 of this act. The funds appropriated in this section shall not revert at the end of the 2019-2020
36 fiscal year. Notwithstanding any provision of law to the contrary in this act or any other act
37 appropriating funds from the Fund, funds appropriated from the Fund shall (i) remain available
38 to expend until the deadline established by applicable federal law or guidance and (ii) be returned
39 in accordance with that applicable federal law or guidance if unexpended by that deadline."
40

41 PART IV. EFFECTIVE DATE

42 SECTION 4.1. Except as otherwise provided, this act is effective when it becomes
43 law.