

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 357

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

S357-AMHa-46 [v.3]

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Amends Title [NO]
Second Edition

Date _____, 2024

Representative Lambeth

1 moves to amend the bill on page 1, line 10, by replacing "September 30, 2024." with "December
2 31, 2024.";

3
4 and on page 1, lines 12-24, by rewriting those lines to read:

5 **"STATE FISCAL RECOVERY FUND REALLOCATIONS**

6 **SECTION 2.(a)** Notwithstanding any provision of law to the contrary, State Fiscal
7 Recovery Funds appropriated in S.L. 2021-180 are reduced as follows:

8 (1) The appropriation to the Administrative Office of the Courts (Budget Code
9 12000) for "Economic Assistance Funds" provided on page E7, item 14 of the
10 Committee Report described in Section 43.2 of S.L. 2021-180 and further
11 described in Section 16.23 of S.L. 2021-180 is reduced by the sum of nine
12 hundred sixty-four thousand six hundred eighty dollars (\$964,680).

13 (2) The appropriation to the Department of Commerce (Budget Code 14602) for
14 "Motorsports" provided on page D45, item 128 of the Committee Report
15 described in Section 43.2 of S.L. 2021-180 and further described in Section
16 11.14 of S.L. 2021-180 is reduced by the sum of one hundred twenty-five
17 thousand three hundred thirty-eight dollars (\$125,338).

18 (3) The appropriation to the Department of Health and Human Services (Budget
19 Code 14445) for "Premium Pay Bonuses" provided on page C44, item 109 of
20 the Committee Report described in Section 43.2 of S.L. 2021-180 and further
21 described in Section 39.21 of S.L. 2021-180 is reduced by the sum of eleven
22 million nine hundred ninety-three thousand eighty-eight dollars
23 (\$11,993,088).

24 (4) The appropriation to the Department of Health and Human Services (Budget
25 Code 14460) for "Temporary Funding Assistance for ICF/IIDs" provided on
26 page C72, item 173 of the Committee Report described in Section 43.2 of S.L.
27 2021-180 and further described in Section 9F.13 of S.L. 2021-180 is reduced
28 by the sum of four thousand six hundred eighty-six dollars (\$4,686).

29 (5) The appropriation to the Department of Public Instruction (Budget Code
30 13510) for "Smart School Bus Pilot" provided on page B28, item 71 of the
31 Committee Report described in Section 43.2 of S.L. 2021-180 and further
32 described in Section 7.70(a) and (b) of S.L. 2021-180 is reduced by the sum



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1 of three million three hundred twenty-seven thousand five hundred eighty-five
2 dollars (\$3,327,585).

3 (6) The appropriation to the Department of Revenue (Budget Code 14700) for
4 "Mainframe Migration" provided on page F154, item 274 of the Committee
5 Report described in Section 43.2 of S.L. 2021-180 is reduced by the sum of
6 three hundred seventy-two thousand two hundred thirty-seven dollars
7 (\$372,237).

8 (7) The appropriation to the Department of Revenue (Budget Code 14700) for
9 "Business Recovery Grant Program" provided on page F154, item 275 of the
10 Committee Report described in Section 43.2 of S.L. 2021-180 and further
11 described in Section 34.3A of S.L. 2021-180 is reduced by the sum of two
12 million nine hundred seventeen thousand one hundred forty-three dollars
13 (\$2,917,143).

14 (8) The appropriation to the Board of Governors of The University of North
15 Carolina (Budget Code 16012) for "Longleaf Commitment Grants" provided
16 on page B50, item 157 of the Committee Report described in Section 43.2 of
17 S.L. 2021-180 and further described in Section 8A.5 of S.L. 2021-180 is
18 reduced by the sum of thirteen million one hundred forty-eight thousand two
19 hundred seventy-five dollars (\$13,148,275).

20 (9) The appropriation to the Department of Environmental Quality (Budget Code
21 14300) for water, wastewater, and stormwater infrastructure grants provided
22 on page D57, items 147-150 of the Committee Report described in Section
23 43.2 of S.L. 2021-180 and further described in Sections 12.13 and 12.14 of
24 S.L. 2021-180 is reduced by the sum of eight hundred million dollars
25 (\$800,000,000).

26 **SECTION 2.(b)** State agencies that are still in possession of the funds described in
27 subsection (a) of this section shall return the funds to the State Fiscal Recovery Fund (SFRF),
28 established in Section 2.2 of S.L. 2021-25, as soon as practicable but no later than 15 business
29 days after this section becomes law. If the reductions described in subsection (a) of this section
30 are insufficient to meet the reallocations described in subsection (c) of this section, the Office of
31 State Budget and Management, in conjunction with the North Carolina Pandemic Recovery
32 Office, shall identify additional available SFRF funds to meet the allocations set forth in
33 subsection (c) of this section.

34 **SECTION 2.(c)** The Office of State Budget and Management shall allocate funds
35 from the State Fiscal Recovery Fund, established in Section 2.2 of S.L. 2021-25, in accordance
36 with the provisions contained in Section 4.9 of S.L. 2021-180, as follows:

37 (1) The sum of thirty-two million eight hundred fifty-three thousand thirty-two
38 dollars (\$32,853,032) to the Department of Health and Human Services
39 (Budget Code 14420) for Childcare Stabilization Grants.

40 (2) The sum of eight hundred million dollars (\$800,000,000) to the Office of State
41 Budget and Management, to be used to offset existing General Fund
42 appropriations across State government for allowable uses of SFRF funds

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1 (Budget Code 190XX). Funds allocated by this subdivision are appropriated
2 for the 2024-2025 fiscal year and must be fully expended by June 30, 2025.

3 **SECTION 2.(d)** The sum of eight hundred million dollars (\$800,000,000) in
4 nonrecurring funds for the 2024-2025 fiscal year is appropriated from the General Fund to the
5 Department of Environmental Quality, and shall be used in the same amount for the projects
6 previously designated to be funded by the funds reduced by subdivision (a)(9) of this section.";
7

8 and on page 1, lines 25-26, by inserting between those lines the following:

9 **"CHILD CARE STABILIZATION GRANTS CONTINUATION FUNDING**

10 **SECTION 2A.(a)** There is appropriated to the Department of Health and Human
11 Services, Division of Child Development and Early Education (Division) (Budget Code 14420),
12 the sum of thirty-two million eight hundred fifty-three thousand thirty-two dollars (\$32,853,032)
13 from the SFRF, the sum of twenty-five million four hundred ninety-eight thousand nine hundred
14 twenty-two dollars (\$25,498,922) in nonrecurring funds from the Child Care and Development
15 Fund Block Grant, and the sum of nine million one hundred forty-eight thousand forty-six dollars
16 (\$9,148,046) from the General Fund to continue the compensation grants portion of the child
17 care stabilization grants. The Division shall continue the compensation grants portion of the child
18 care stabilization grants for the first two quarters of the 2024-2025 fiscal year at a reduced level
19 to stay within the provided funding limits.

20 **SECTION 2A.(b)** Section 9M.1 of S.L. 2023-134, as amended by Section 3.8 of
21 S.L. 2024-1, reads as rewritten:

22 **"SECTION 9M.1.(a)** Except as otherwise provided, appropriations from federal Block
23 Grant funds are made for each year of the fiscal biennium ending June 30, 2025, according to the
24 following schedule:
25

26	TEMPORARY ASSISTANCE FOR NEEDY	FY 2023-2024	FY 2024-2025
27	FAMILIES (TANF) FUNDS		
28			
29	Local Program Expenditures		
30			
31	Division of Child Development and Early Education		
32			
33	09. Subsidized Child Care Program	45,813,694	45,813,694
34			<u>52,316,626</u>
35	...		
36			
37	TOTAL TEMPORARY ASSISTANCE FOR		
38	NEEDY FAMILIES (TANF) FUNDS	\$312,353,987	\$312,353,987
39			<u>\$318,856,919</u>
40			
41	...		
42			
43	CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		

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Local Program Expenditures

Division of Child Development and Early Education

01. Child Care Services	\$289,070,072	\$289,070,072
		<u>\$282,567,140</u>
02. Smart Start Subsidy	7,392,654	7,392,654
03. Transfer from TANF Block Grant for Child Care Subsidies	21,773,001	21,773,001
04. Quality and Availability Initiatives (TEACH Program \$3,800,000)	61,980,526	61,980,526
		<u>87,479,448</u>
...		
TOTAL CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT	\$411,280,123	\$411,280,123
		<u>\$430,302,451</u>

"CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT

...
"SECTION 9M.1.(x) Of the sixty-one million nine hundred eighty thousand five hundred twenty-six dollars (\$61,980,526) appropriated in this act in the Child Care and Development Block Grant for each year of the 2023-2025 fiscal biennium the 2023-2024 fiscal year and the eighty-seven million four hundred seventy-nine thousand four hundred forty-eight dollars (\$87,479,448) for the 2024-2025 fiscal year for quality and availability initiatives to the Department of Health and Human Services, Division of Child Development and Early Education, the sum of one million three hundred fifty thousand dollars (\$1,350,000) for in each year of the 2023-2025 fiscal biennium shall be used to establish 18 new positions. From the eighty-seven million four hundred seventy-nine thousand four hundred forty-eight dollars (\$87,479,448) appropriated in this act for the 2024-2025 fiscal year, the sum of twenty-five million four hundred ninety-eight thousand nine hundred twenty-two dollars (\$25,498,922) shall be used to extend the compensation grants portion of the child care stabilization grants, as authorized under Section 3.2(a) of S.L. 2021-25.

....";

and on page 2, lines 14-15, by inserting between those lines the following:

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1 **"ALLOW THE SEAA TO USE ADMINISTRATIVE FUNDS FROM OPPORTUNITY**
2 **SCHOLARSHIPS FOR PERSONAL EDUCATION STUDENT ACCOUNTS**

3 **SECTION 4.(a)** G.S. 115C-562.8(c) reads as rewritten:

4 "(c) Of the funds allocated to the Authority to award scholarship grants under this Part,
5 the Authority may retain up to two and one-half percent (2.5%) of the funds appropriated each
6 fiscal year for administrative costs associated with the scholarship grant program. If the actual
7 costs of administering the scholarship grant program are less than the funds authorized for
8 administering the program pursuant to this subsection, the Authority may allocate unused funds
9 for the additional administrative costs of the Personal Education Student Accounts for Children
10 with Disabilities Program in accordance with G.S. 115C-597(d)."

11 **SECTION 4.(b)** G.S. 115C-597(d) reads as rewritten:

12 "(d) Administration Costs. – Of the funds allocated to the Authority to award scholarship
13 funds under this Article, the Authority may retain the lesser of four percent (4%) of the funds
14 appropriated or ~~two million dollars (\$2,000,000)~~ three million dollars (\$3,000,000) each fiscal
15 year for administrative costs associated with the program, including contracting with non-State
16 entities for administration of certain components of the program. If the actual costs of
17 administering the program exceed the funds authorized for administering the program pursuant
18 to this subsection, the Authority may allocate unused funds set aside for administration costs
19 from the Opportunity Scholarship Grant Fund Reserve pursuant to G.S. 115C-562.8(c) for the
20 additional administrative costs of the Personal Education Student Accounts for Children with
21 Disabilities Program."

22
23 **CONFORM IN-STATE TUITION REQUIREMENTS TO FEDERAL LAW**

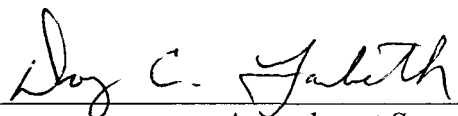
24 **SECTION 5.(a)** G.S. 116-143.1 is amended by adding the following new subsection

25 to read:

26 "(h2) Any citizen of the Federated States of Micronesia, the Republic of the Marshall
27 Islands, or the Republic of Palau who is a nonresident shall be eligible to be charged the in-State
28 tuition rate and shall pay the full amount of the in-State tuition rate and applicable mandatory
29 fees."

30 **SECTION 5.(b)** This section becomes effective July 1, 2024, and applies beginning
31 with the 2024-2025 academic year.";

32
33 and on page 2, line 16, by replacing "SECTION 4." with "SECTION 6."

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

ADOPTED

A1

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**