

The Daily Bulletin: 2018-10-15

PUBLIC/HOUSE BILLS

H 3 (2018 Extra 3) **2018 HURRICANE FLORENCE DISASTER RECOVERY ACT (NEW)**. Filed Oct 2 2018, *AN ACT TO ENACT THE 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT*.

House committee substitute to the 1st edition deletes all previous provisions and replaces it with the following.

Section 1

Specifies that appropriations and allocations in the act are for maximum amounts necessary and savings should be effected where the total amounts allocated are not needed.

Section 2

Appropriates \$398,430,477 for 2018-19 from the Hurricane Florence Disaster Recovery Fund (Fund) with specified funding availability. Requires the State Controller (Controller) to establish a Hurricane Florence Disaster Recovery Reserve (Reserve) in the State General Fund to maintain disaster recovery funds. Requires the transfer of specified funds for 2018-19 to the Savings Reserve from the Savings Reserve in the General Fund, Education Lottery Reserve, Shallow Draft Navigation Channel Dredging and Aquatic Weed funds, funds for grants to volunteer fire departments in the Office of the State Fire Marshal, and the Highway Fund. Amends SL 2018-134 (The Hurricane Florence Emergency Response Act), effective October 2, 2018, to also include reallocated funds, in addition to appropriated funds, in the Fund.

Section 3

Provides that the amount appropriated from the Fund applies to the counties designated under a major disaster declaration by the President as a result of Hurricane Florence.

Section 4

Allocates the funds appropriated to the Fund in specified amounts to 11 state agencies.

Requires funding recipients (as defined) to use best efforts and take reasonable steps to find alternative funds and requires institutions of higher education and non-state entities receiving State funds under the act to seek private donations. Recipients obtaining alternate funding must remit the funds to the State agency from which the funds were received; those funds must then be transferred to the Fund. Directs how such returned funds are to be transferred within the Fund.

Requires the Governor to ensure that funds appropriated in the act are expended in a way that does not adversely affect eligibility for federal funds, and to avoid using State Funds to cover costs that will be or likely will be covered by federal funds. Prohibits the Governor from using funds in the act to make reallocations under GS 166A-19.40(c), concerning the reallocation of funds available within the appropriations of the various departments during an emergency.

Section 5

Requires that for the 2018-19 school year, allotment adjustments for the allotted average daily membership (ADM) decreases are to be based on the highest of the first four months' ADM for public school units located in counties designated under a major disaster declaration by the President as a result of the hurricane. Defines public school unit.

Specifies that funds allocated to the Department of Public Instruction in the act are not subject to approval by the State Board of Education.

Establishes the Hurricane Florence Emergency Grant Program for Postsecondary Students (Program) to provide grants of up to \$1,250 per eligible postsecondary student for those suffering financial hardship due to the hurricane in order to support the student's continued enrollment. Requires that applications be accepted beginning November 1, 2018. Sets out eligibility and

related documentation requirements. Sets out requirements for the awarding of funds and allowing for giving priority to those with the greatest financial need. Requires grant recipients to try to obtain alternative funds and if successful, requires the recipient to return the amount of the grant to the institution of higher education. Requires that \$2 million of the funds allocated to the UNC Board of Governors from the Fund for 2018-19 be used to provide the grants; requires that an additional \$1 million of the funds allocated to the BOG be allocated to the State Education Assistance Authority to provide funds to eligible private postsecondary institutions for the grants. Requires that \$5 million of the funds allocated to the Community Colleges System Office from the Fund for 2018-19 be used to provide the grants. Requires a report on the implementation of the program by April 1, 2019, to the specified NCGA committees and divisions, and the Office of Recovery and Resiliency.

Requires that funds allocated in the act from the Fund to the Department of Health and Human Services (DHHS), Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS) to increase single-stream funding be allocated among LME/MCOs with a catchment area that includes at least one federally declared disaster area. Requires LME/MCOs to use the funds to fund mental health, developmental disabilities, and substance use disorder services that are (1) for individuals residing in a federally declared disaster area who have been determined to be in need of services as a result of the hurricane, and (2) not reimbursable under Medicaid. Requires DHHS to manage, within the Medicaid budget, any increased demand for behavioral health services reimbursable under the Medicaid program for individuals residing in a federally declared disaster area.

Requires funds allocated in the act from the fund to the DHHS Division of Central Management and Support, Office of Rural Health, to be allocated to the North Carolina Hospital Foundation (NCHF) to award grants to unaffiliated community hospitals in counties designated under a major disaster declaration by the President as a result of the hurricane, with priority to those serving rural areas. Requires that funds be used to (1) offset the cost of increased nursing and other staffing expenses related to the hurricane, and after this is fulfilled, (2) assist with other relief related to the hurricane. Requires grant recipients to report by July 15, 2019, to the specified offices in the Department of Public Safety (DPS). Requires a report from the Office to Rural Health on the use of allocated funds, by December 1, 2019, to the specified NCGA committee and division.

Requires the DHHS Division of Child Development and Early Education to extend the transition period from 90 to 120 days for a child care subsidy recipient who is otherwise eligible for the subsidy and resides in a Hurricane Florence damaged area if the recipient meets the specified requirements.

Creates the Office of Recovery and Resiliency (Office) in DPS to execute multi-year recovery and resiliency projects and administer funds provided by the Community Development Block Grant Disaster Recovery program. Allows reassignment of up to 15 positions existing in the Division of Emergency Management to the Office and allows the creation of up to 30 new three-year time limited positions. Requires the Office to provide disaster recovery coordination and public information; citizen outreach and application case management; audit, finance, compliance, and reporting on disaster recovery funds; and program and construction management services. Requires the Office to contract for services from vendors specializing in housing, construction, and project management services. Requires the Office to develop and administer a grant program for financially distressed local governments to assist with recovery capacity with grants covering costs for up to two three-year positions and to purchase one vehicle per community. Also requires the Office, in consultation with the Local Government Commission, to develop and administer a one-time emergency fund for local governments that need immediate cash flow assistance with funds used to meet local government debt service obligations, payroll obligations, and vendor payments.

Directs the Office to provide quarterly reports summarizing oversight activities, results achieved, and specified expenditure data to the Director of the Budget, House and Senate Appropriations Committees, and the Fiscal Research Division, beginning January 1, 2019. Additionally, directs the Office to compile quarterly report data and submit annual reports to the same entities, beginning in January 1, 2020.

Amends GS 127A-202 increasing the period within which a National Guard member must apply for reemployment after returning from State active duty lasting 30 days or less from eight hours to 24 hours. Makes clarifying changes.

Directs the Controller to waive any outstanding debt arising or resulting from the overpayment of any State active duty performed by National Guard service members in response to Hurricane Matthew in 2016. Requires DPS to reimburse National Guard service members who have already reimbursed the State for overpayment.

Details legislative findings concerning agricultural impacts and unmet agricultural assistance needs following Hurricane Florence and provides defined terms. Creates the Hurricane Florence Disaster Fund in the Department of Agriculture and Consumer Services (DACS) to be used for a financial assistance program for affected farmers. Provides for funding from

legislative allocations and contributions and grants from public and private sources. Sets out eligibility criteria for financial assistance for a verifiable loss of agricultural commodities on a farm located in a disaster declared county, as specified, which was planted on or before September 13, 2018, or for aquaculture commodities, those being raised on or before September 13, 2018. Details the DACS application for assistance, open through December 10, 2018, with a possible extension to May 1, 2019, for nursery crops, fruit-bearing trees and bushes, and specialty crops, upon written request as specified. Sets out eligibility criteria for financial assistance for losses of livestock or poultry to include qualification for and receipt of payment from the USDA Livestock Indemnity Program and participation in a livestock poultry indemnity program administered by the USDA Farm Service Agency. Details the DACS application for assistance, open through December 10, 2018, with a possible extension to March 1, 2019, upon written request as specified. Details the criteria DACS must follow in the administration of financial assistance. Requires DACS to determine payment calculation for agricultural commodities based on acreage, county loss estimates, and USDA National Agricultural Statistics Service averages, and payment calculation for livestock and poultry based on 12.5% of the total loss reported to the USDA Livestock Indemnity Program. Authorizes DACS to audit the financial and other records of funding recipients. Directs DACS to develop guidelines and procedures to verify expenditures are appropriate. Requires funds awarded based on inaccurate information to be refunded. Expires January 1, 2024.

Requires funding allocated to the Department of Environmental Quality (DEQ) to be used to provide a grant to the NC Coastal Federation to be used for third party contracts for marine debris cleanup. Directs the Coastal Federation to report to the specified NCGA Committee and division, and the Office on or before April 1, 2019.

Directs the Coastal Resources Commission to adopt temporary rules to revise the Living Shorelines General Permit consistent with the US Army Corps Wilmington District regional permit for living shorelines without delaying or otherwise altering general permits issued by the Commission for other types of coastal erosion control structures.

Adds to GS 136-82 to authorize the Secretary of Transportation to suspend toll collection for any ferry route serving an emergency area for the duration of a state of emergency.

Directs the Department of Transportation (DOT) to submit an itemized report, as specified, to the Office within 30 days of the end of each quarter on the use of funds allocated from the Hurricane Florence Disaster Recovery Fund and all matching federal funds received.

Establishes a construction fee moratorium, including fees for permits, inspections, and certificates of occupancy, for any single commercial or residential project in a county designated a major disaster by the President that was damaged as a direct result of Hurricane Florence. Provides for a refund of any fees subject to the moratorium assessed and collected and directs the Department of Insurance (DOI), counties, and cities to post notice of the availability of refunds on their websites. Applies to application for issuance of permits dated on or after September 13, 2018, and expires December 31, 2018.

Amends GS 105-259 to authorize the disclosure data drawn from an individual taxpayer's tax information to the Office to facilitate applications for any means-tested federal or state disaster relief following a federal major disaster declaration so long as federal tax information remains confidential as specified. Directs the Department of Revenue and the Office to enter into a confidential information sharing agreement as described no later than June 30, 2019.

Expands eligibility for disaster housing assistance for eligible projects under GS Chapter 122E in counties impacted by Hurricanes Matthew and Florence to individuals and families with household incomes that equal, but do not exceed, 100% of the local area's median income.

Directs the State Auditor to conduct a preliminary financial and performance audit of the Hurricane Florence Disaster Recovery Fund created in SL 2018-134 no later than March 1, 2019, with additional periodic financial and performance audits and a final financial and performance audit at the request of the Director of the Budget.

Directs the DOI to report to the Office and the Fiscal Research Division on the funds allocated for grants to volunteer fire departments within 30 days of the end of each quarter until all funds allocated to DOI have been expended or reverted.

Encourages State agencies to acquire goods and services from historically underutilized business vendors.

States the intent of the legislature to review in 2018 and 2019 the funds appropriated by Congress for disaster relief, consider actions needed to address remaining unmet needs, and review the adequacy of relief measures funded by this act.

Prohibits the expenditure of State funds appropriated by the act for the construction of any new residence within the 100-year floodplain, as defined by the act, unless in an area regulated by a local government pursuant to a floodplain management

ordinance and construction is compliant. Requires homeowners in the 100-year floodplain who receive homeowner's housing assistance to have in effect federal flood insurance, if available, as a precondition to receipt of State homeowner's housing assistance for losses resulting from future flooding. Limits the use of loans to small and mid-sized business to eligible purposes under the Small Business Administration disaster loan assistance program, as described. Limits payments for economic losses to documented business expenses necessary for the continued operation of the business.

Subrogates the State Emergency Response and Disaster Relief Fund to a person's right under any insurance coverage for damage to a home relocated or purchased with funds from the Hazard Mitigation Grant Program or the State Acquisition and Relocation Fund, directing the payment of any monies received from insurance coverage to the Fund. Charges the Division of Emergency Management to ensure notification of and adherence to these requirements.

Section 6

Incorporates by reference the Committee Report on Hurricane Florence Disaster Recovery Fund for Senate Bill 3, dated October 15, 2018.

Includes a severability clause.

Intro. by Dollar, McGrady, Horn, Arp, Ball, J. Bell, Blackwell, Boles, Boswell, Bradford, Brisson, Burr, Butler, Clampitt, Cleveland, Conrad, Davis, Dixon, Fisher, Floyd, Ford, Goodman, C. Graham, Grange, Hastings, Howard, Hunter, Hurley, Iler, John, Johnson, Brenden Jones, Jordan, Lambeth, Lewis, McElraft, McNeill, Meyer, Muller, Murphy, Potts, Reives, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Steinburg, Strickland, Szoka, Torbett, White, Wray, Yarborough, Bumgardner, Corbin, Dulin, Faircloth, Gill, Harrison, Henson, Jackson, Lucas, Presnell, B. Richardson, Riddell, Stone, Blust, Malone, Brody.

[APPROP, GS 105, GS 127A, GS 136](#)

[View summary](#)

[Agriculture, Business and Commerce, Insurance, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Environmental Quality \(formerly DENR\), Department of Health and Human Services, Department of Insurance, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of Transportation, Office of State Auditor, Office of State Budget and Management, Office of State Controller, State Government, Executive, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Child Welfare, Lottery and Gaming, Military and Veteran's Affairs, Transportation](#)

H 4 (2018 Extra 3) [HURRICANE FLORENCE EMERGENCY RESPONSE ACT](#). Filed Oct 2 2018, *AN ACT TO ENACT THE HURRICANE FLORENCE EMERGENCY RESPONSE ACT*.

AN ACT TO ENACT THE HURRICANE FLORENCE EMERGENCY RESPONSE ACT. Enacted Oct. 3, 2018. Effective Oct. 3, 2018, except as otherwise provided.

Intro. by Dollar, McGrady, Arp, Ball, J. Bell, Blackwell, Boles, Boswell, Bradford, Brisson, Burr, Butler, Clampitt, Cleveland, Conrad, Davis, Dixon, Fisher, Floyd, Ford, Goodman, C. Graham, Grange, Hastings, Howard, Hunter, Hurley, Iler, John, Johnson, Brenden Jones, Jordan, Lambeth, Lewis, McElraft, McNeill, Meyer, Muller, Murphy, Potts, Reives, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Steinburg, Strickland, Szoka, Torbett, White, Wray, Yarborough, Bumgardner, Corbin, Dulin, Faircloth, Gill, Harrison, Henson, Horn, Jackson, Lucas, Presnell, B. Richardson, Riddell, Stone, Blust, Malone.

UNCODIFIED

[View summary](#)

Business and Commerce, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Budget/Appropriations, Elections, State Agencies, Department of Transportation, Health and Human Services, Health, Public Health, Transportation

PUBLIC/SENATE BILLS

S 2 (2018 Extra 3) [SCHOOL CALENDAR & PAY/HURRICANE FLORENCE](#). Filed Oct 2 2018, *AN ACT TO PROVIDE FLEXIBILITY IN THE SCHOOL CALENDAR, TO FACILITATE COMPENSATION TO SCHOOL EMPLOYEES, AND TO PROVIDE RELIEF TO STUDENTS ENROLLED IN AN EDUCATOR PREPARATION PROGRAM TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES DUE TO HURRICANE FLORENCE.*

AN ACT TO PROVIDE FLEXIBILITY IN THE SCHOOL CALENDAR, TO FACILITATE COMPENSATION TO SCHOOL EMPLOYEES, AND TO PROVIDE RELIEF TO STUDENTS ENROLLED IN AN EDUCATOR PREPARATION PROGRAM TO ACCOMMODATE EXTRAORDINARY CIRCUMSTANCES DUE TO HURRICANE FLORENCE.

Enacted Oct. 3, 2018. Effective Oct. 3, 2018.

Intro. by Lee, Brown, B. Jackson, Rabon, Britt, Clark, D. Davis, Fitch, McInnis, Meredith, Sanderson, Smith.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Department of Public Instruction

S 3 (2018 Extra 3) [2018 HURRICANE FLORENCE DISASTER RECOVERY ACT \(NEW\)](#). Filed Oct 2 2018, *AN ACT TO ENACT THE 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT.*

Senate committee substitute to the 1st edition deletes all previous provisions and replaces it with the following.

Section 1

Specifies that appropriations and allocations in the act are for maximum amounts necessary and savings should be effected where the total amounts allocated are not needed.

Section 2

Appropriates \$398,430,477 for 2018-19 from the Hurricane Florence Disaster Recovery Fund (Fund) with specified funding availability. Requires the State Controller (Controller) to establish a Hurricane Florence Disaster Recovery Reserve (Reserve)

in the State General Fund to maintain disaster recovery funds. Requires the transfer of specified funds for 2018-19 to the Savings Reserve from the Savings Reserve in the General Fund, Education Lottery Reserve, Shallow Draft Navigation Channel Dredging and Aquatic Weed funds, funds for grants to volunteer fire departments in the Office of the State Fire Marshal, and the Highway Fund. Amends SL 2018-134 (The Hurricane Florence Emergency Response Act), effective October 2, 2018, to also include reallocated funds, in addition to appropriated funds, in the Fund.

Section 3

Provides that the amount appropriated from the Fund applies to the counties designated under a major disaster declaration by the President as a result of Hurricane Florence.

Section 4

Allocates the funds appropriated to the Fund in specified amounts to 11 state agencies.

Requires funding recipients (as defined) to use best efforts and take reasonable steps to find alternative funds and requires institutions of higher education and non-state entities receiving State funds under the act to seek private donations. Recipients obtaining alternate funding must remit the funds to the State agency from which the funds were received; those funds must then be transferred to the Fund. Directs how such returned funds are to be transferred within the Fund.

Requires the Governor to ensure that funds appropriated in the act are expended in a way that does not adversely affect eligibility for federal funds, and to avoid using State Funds to cover costs that will be or likely will be covered by federal funds. Prohibits the Governor from using funds in the act to make reallocations under GS 166A-19.40(c), concerning the reallocation of funds available within the appropriations of the various departments during an emergency.

Section 5

Requires that for the 2018-19 school year, allotment adjustments for the allotted average daily membership (ADM) decreases are to be based on the highest of the first four months' ADM for public school units located in counties designated under a major disaster declaration by the President as a result of the hurricane. Defines public school unit.

Specifies that funds allocated to the Department of Public Instruction in the act are not subject to approval by the State Board of Education.

Establishes the Hurricane Florence Emergency Grant Program for Postsecondary Students (Program) to provide grants of up to \$1,250 per eligible postsecondary student for those suffering financial hardship due to the hurricane in order to support the student's continued enrollment. Requires that applications be accepted beginning November 1, 2018. Sets out eligibility and related documentation requirements. Sets out requirements for the awarding of funds and allowing for giving priority to those with the greatest financial need. Requires grant recipients to try to obtain alternative funds and if successful, requires the recipient to return the amount of the grant to the institution of higher education. Requires that \$2 million of the funds allocated to the UNC Board of Governors from the Fund for 2018-19 be used to provide the grants; requires that an additional \$1 million of the funds allocated to the BOG be allocated to the State Education Assistance Authority to provide funds to eligible private postsecondary institutions for the grants. Requires that \$5 million of the funds allocated to the Community Colleges System Office from the Fund for 2018-19 be used to provide the grants. Requires a report on the implementation of the program by April 1, 2019, to the specified NCGA committees and divisions, and the Office of Recovery and Resiliency.

Requires that funds allocated in the act from the Fund to the Department of Health and Human Services (DHHS), Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS) to increase single-stream funding be allocated among LME/MCOs with a catchment area that includes at least one federally declared disaster area. Requires LME/MCOs to use the funds to fund mental health, developmental disabilities, and substance use disorder services that are (1) for individuals residing in a federally declared disaster area who have been determined to be in need of services as a result of the hurricane, and (2) not reimbursable under Medicaid. Requires DHHS to manage, within the Medicaid budget, any increased demand for behavioral health services reimbursable under the Medicaid program for individuals residing in a federally declared disaster area.

Requires funds allocated in the act from the fund to the DHHS Division of Central Management and Support, Office of Rural Health, to be allocated to the North Carolina Hospital Foundation (NCHF) to award grants to unaffiliated community hospitals in counties designated under a major disaster declaration by the President as a result of the hurricane, with priority to those serving rural areas. Requires that funds be used to (1) offset the cost of increased nursing and other staffing expenses related to

the hurricane, and after this is fulfilled, (2) assist with other relief related to the hurricane. Requires grant recipients to report by July 15, 2019, to the specified offices in the Department of Public Safety (DPS). Requires a report from the Office to Rural Health on the use of allocated funds, by December 1, 2019, to the specified NCGA committee and division.

Requires the DHHS Division of Child Development and Early Education to extend the transition period from 90 to 120 days for a child care subsidy recipient who is otherwise eligible for the subsidy and resides in a Hurricane Florence damaged area if the recipient meets the specified requirements.

Creates the Office of Recovery and Resiliency (Office) in DPS to execute multi-year recovery and resiliency projects and administer funds provided by the Community Development Block Grant Disaster Recovery program. Allows reassignment of up to 15 positions existing in the Division of Emergency Management to the Office and allows the creation of up to 30 new three-year time limited positions. Requires the Office to provide disaster recovery coordination and public information; citizen outreach and application case management; audit, finance, compliance, and reporting on disaster recovery funds; and program and construction management services. Requires the Office to contract for services from vendors specializing in housing, construction, and project management services. Requires the Office to develop and administer a grant program for financially distressed local governments to assist with recovery capacity with grants covering costs for up to two three-year positions and to purchase one vehicle per community. Also requires the Office, in consultation with the Local Government Commission, to develop and administer a one-time emergency fund for local governments that need immediate cash flow assistance with funds used to meet local government debt service obligations, payroll obligations, and vendor payments.

Directs the Office to provide quarterly reports summarizing oversight activities, results achieved, and specified expenditure data to the Director of the Budget, House and Senate Appropriations Committees, and the Fiscal Research Division, beginning January 1, 2019. Additionally, directs the Office to compile quarterly report data and submit annual reports to the same entities, beginning in January 1, 2020.

Amends GS 127A-202 increasing the period within which a National Guard member must apply for reemployment after returning from State active duty lasting 30 days or less from eight hours to 24 hours. Makes clarifying changes.

Directs the Controller to waive any outstanding debt arising or resulting from the overpayment of any State active duty performed by National Guard service members in response to Hurricane Matthew in 2016. Requires DPS to reimburse National Guard service members who have already reimbursed the State for overpayment.

Details legislative findings concerning agricultural impacts and unmet agricultural assistance needs following Hurricane Florence and provides defined terms. Creates the Hurricane Florence Disaster Fund in the Department of Agriculture and Consumer Services (DACS) to be used for a financial assistance program for affected farmers. Provides for funding from legislative allocations and contributions and grants from public and private sources. Sets out eligibility criteria for financial assistance for a verifiable loss of agricultural commodities on a farm located in a disaster declared county, as specified, which was planted on or before September 13, 2018, or for aquaculture commodities, those being raised on or before September 13, 2018. Details the DACS application for assistance, open through December 10, 2018, with a possible extension to May 1, 2019, for nursery crops, fruit-bearing trees and bushes, and specialty crops, upon written request as specified. Sets out eligibility criteria for financial assistance for losses of livestock or poultry to include qualification for and receipt of payment from the USDA Livestock Indemnity Program and participation in a livestock poultry indemnity program administered by the USDA Farm Service Agency. Details the DACS application for assistance, open through December 10, 2018, with a possible extension to March 1, 2019, upon written request as specified. Details the criteria DACS must follow in the administration of financial assistance. Requires DACS to determine payment calculation for agricultural commodities based on acreage, county loss estimates, and USDA National Agricultural Statistics Service averages, and payment calculation for livestock and poultry based on 12.5% of the total loss reported to the USDA Livestock Indemnity Program. Authorizes DACS to audit the financial and other records of funding recipients. Directs DACS to develop guidelines and procedures to verify expenditures are appropriate. Requires funds awarded based on inaccurate information to be refunded. Expires January 1, 2024.

Requires funding allocated to the Department of Environmental Quality (DEQ) to be used to provide a grant to the NC Coastal Federation to be used for third party contracts for marine debris cleanup. Directs the Coastal Federation to report to the specified NCGA Committee and division, and the Office on or before April 1, 2019.

Directs the Coastal Resources Commission to adopt temporary rules to revise the Living Shorelines General Permit consistent with the US Army Corps Wilmington District regional permit for living shorelines without delaying or otherwise altering general permits issued by the Commission for other types of coastal erosion control structures.

Adds to GS 136-82 to authorize the Secretary of Transportation to suspend toll collection for any ferry route serving an emergency area for the duration of a state of emergency.

Directs the Department of Transportation (DOT) to submit an itemized report, as specified, to the Office within 30 days of the end of each quarter on the use of funds allocated from the Hurricane Florence Disaster Recovery Fund and all matching federal funds received.

Establishes a construction fee moratorium, including fees for permits, inspections, and certificates of occupancy, for any single commercial or residential project in a county designated a major disaster by the President that was damaged as a direct result of Hurricane Florence. Provides for a refund of any fees subject to the moratorium assessed and collected and directs the Department of Insurance (DOI), counties, and cities to post notice of the availability of refunds on their websites. Applies to application for issuance of permits dated on or after September 13, 2018, and expires December 31, 2018.

Amends GS 105-259 to authorize the disclosure data drawn from an individual taxpayer's tax information to the Office to facilitate applications for any means-tested federal or state disaster relief following a federal major disaster declaration so long as federal tax information remains confidential as specified. Directs the Department of Revenue and the Office to enter into a confidential information sharing agreement as described no later than June 30, 2019.

Expands eligibility for disaster housing assistance for eligible projects under GS Chapter 122E in counties impacted by Hurricanes Matthew and Florence to individuals and families with household incomes that equal, but do not exceed, 100% of the local area's median income.

Directs the State Auditor to conduct a preliminary financial and performance audit of the Hurricane Florence Disaster Recovery Fund created in SL 2018-134 no later than March 1, 2019, with additional periodic financial and performance audits and a final financial and performance audit at the request of the Director of the Budget.

Directs the DOI to report to the Office and the Fiscal Research Division on the funds allocated for grants to volunteer fire departments within 30 days of the end of each quarter until all funds allocated to DOI have been expended or reverted.

Encourages State agencies to acquire goods and services from historically underutilized business vendors.

States the intent of the legislature to review in 2018 and 2019 the funds appropriated by Congress for disaster relief, consider actions needed to address remaining unmet needs, and review the adequacy of relief measures funded by this act.

Prohibits the expenditure of State funds appropriated by the act for the construction of any new residence within the 100-year floodplain, as defined by the act, unless in an area regulated by a local government pursuant to a floodplain management ordinance and construction is compliant. Requires homeowners in the 100-year floodplain who receive homeowner's housing assistance to have in effect federal flood insurance, if available, as a precondition to receipt of State homeowner's housing assistance for losses resulting from future flooding. Limits the use of loans to small and mid-sized business to eligible purposes under the Small Business Administration disaster loan assistance program, as described. Limits payments for economic losses to documented business expenses necessary for the continued operation of the business.

Subrogates the State Emergency Response and Disaster Relief Fund to a person's right under any insurance coverage for damage to a home relocated or purchased with funds from the Hazard Mitigation Grant Program or the State Acquisition and Relocation Fund, directing the payment of any monies received from insurance coverage to the Fund. Charges the Division of Emergency Management to ensure notification of and adherence to these requirements.

Section 6

Incorporates by reference the Committee Report on Hurricane Florence Disaster Recovery Fund for Senate Bill 3, dated October 15, 2018.

Includes a severability clause.

Intro. by Britt, Meredith, Brown, B. Jackson, Rabon, Clark, D. Davis, Fitch, Lee, McInnis, Sanderson, Smith.

[APPROP, GS 105, GS 127A, GS 136](#)

[View summary](#)

[Agriculture, Business and Commerce, Insurance, Development, Land Use and Housing, Building and](#)

Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Insurance, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of Transportation, Office of State Auditor, Office of State Budget and Management, Office of State Controller, State Government, Executive, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Child Welfare, Lottery and Gaming, Military and Veteran's Affairs, Transportation

S 3 (2018 Extra 3) [2018 HURRICANE FLORENCE DISASTER RECOVERY ACT \(NEW\)](#). Filed Oct 2 2018, *AN ACT TO ENACT THE 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT*.

Senate amendment makes the following changes to the 2nd edition.

Adds to Section 4, concerning the reimbursement of state funds if alternate funds are obtained. Specifically declares state funds paid under the act to be excess over funds received by a recipient from the settlement of a claim for loss or damage covered under the recipient's applicable insurance policy in effect.

Intro. by Britt, Meredith, Brown, B. Jackson, Rabon, Clark, D. Davis, Fitch, Lee, McInnis, Sanderson, Smith.

APPROP, GS 105, GS 127A, GS 136

[View summary](#)

Agriculture, Business and Commerce, Insurance, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Insurance, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of Transportation, Office of State Auditor, Office of State Budget and Management, Office of State Controller, State Government, Executive, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Child Welfare, Lottery and Gaming, Military and Veteran's Affairs, Transportation

S 5 (2018 Extra 3) [ADJOURN 2018 3RD EXTRA SESSION SINE DIE](#). Filed Oct 15 2018, *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 THIRD EXTRA SESSION*.

Provides that when the House and Senate jointly adjourn the 2018 Third Extra Session on October 15, 2018, they stand adjourned sine die.

Intro. by Rabon.

JOINT RES

[View summary](#)

Government, General Assembly

ACTIONS ON BILLS

PUBLIC BILLS

H 3: 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT (NEW).

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Withdrawn From Cal

S 3: 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 5: ADJOURN 2018 3RD EXTRA SESSION SINE DIE.

Senate: Filed

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

No local actions on bills

