



The Daily Bulletin: 2020-04-29

PUBLIC/HOUSE BILLS

H 1034 (2019-2020) [SMALL BUSINESS EMERGENCY LOANS](#). Filed Apr 28 2020, *AN ACT TO PROVIDE FUNDS FOR SMALL BUSINESS LOAN ASSISTANCE*.

House committee substitute makes the following changes to the 1st edition.

Changes the act's long title. Makes organizational and technical changes throughout.

Combines the small business emergency loan program general provisions and appropriations provisions. Additionally, amends the appropriations provisions to now appropriate \$75 million in nonrecurring funds from the Coronavirus Relief Fund to the Office of State Budget and Management (OSBM) to provide funds to Golden LEAF (previously, directed OSBM to make \$75 million available for Golden LEAF and appropriated the \$75 million from the General Fund to OSBM for the 2019-20 fiscal year). Defines *Coronavirus Relief Fund* (Fund) to mean funds received by the State of North Carolina during the 2019-20 fiscal year from the Coronavirus Relief Fund created by the federal Coronavirus Aid, Relief, and Economic Security Act of 2020. Clarifies that the funds to Golden LEAF are to provide grants to entities for the purpose of making emergency loans (was, to entities capable of making emergency loans) to assist small businesses with business needs during the period of economic hardship occasioned by the COVID-19 epidemic. Makes conforming changes to require OSBM to deposit biannually remitted funds to the Fund, rather than the General Fund. Specifies that deposits into the Fund are receipts that do not constitute an appropriation made by law under Section 7 of Article V of the Constitution.

Amends the definition of *net loan funds* to mean the total authorized appropriation less administration costs, as previously specified, and the State's loan funds that are not recaptured (previously, referred to the State's proportionate share of loan funds that are not recaptured).

Intro. by Ross, B. Jones, Wray.

[APPROP](#)

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[Business and Commerce, Government, Budget/Appropriations](#)

H 1037 (2019-2020) [COVID-19 HEALTH CARE WORKING GROUP POLICY REC.](#) Filed Apr 28 2020, *AN ACT EXPANDING THE STATE'S CAPACITY TO TAKE PUBLIC HEALTH AND SAFETY MEASURES TO ADDRESS THE COVID-19 EMERGENCY, AS RECOMMENDED BY THE HEALTH CARE WORKING GROUP OF THE HOUSE SELECT COMMITTEE ON COVID-19*.

House committee substitute to the 1st edition makes the following changes.

Adds that Section 2.1 of the act is effective when it becomes law.

Amends Section 3.1 by changing the date by which the plan for creating and maintaining a Strategic State Stockpile of personal protective equipment and testing supplies must be developed and submitted to the specified committee from June 1 to July 1, 2020.

Adds new Section 3.2 that requires the Department of Health and Human Services and the Division of Emergency Management, during a public health emergency, to first consider companies based in the state that can provide mobile response units with capabilities to reach rural areas in the state. Specifies the types of operations that must be considered, including feeding operations and triage facilities.

Amends Section 4.3 by clarifying that following the consultation upon receiving a petition to authorize immunizing pharmacists to administer a recommended immunization or vaccine for COVID-19, if the State Health Director approves the petition, the State Health Director may issue a statewide standing order authorizing the administration of an immunization or

vaccination for COVID-19 by immunizing pharmacists. The statewide standing order expires upon the adjournment of the next NCGA regular session. Makes conforming changes. Also adds that the following are immune from any civil or criminal liability for actions authorized by this section: (1) the State Health Director acting pursuant to this section and (2) any pharmacist who administers a COVID-19 immunization or vaccine pursuant to a statewide standing order issued under this section.

Amends Section 4.7 as follows.

Makes the following changes to proposed Article 1L, Emergency or Disaster Treatment Protection Act, of GS Chapter 90.

Makes a technical change to the definition of *COVID-19*. Redefines the term *health care facility* to now mean any entity licensed pursuant to GS Chapters 122C (Mental Health, Developmental Disabilities, and Substance Abuse Act), 131D (Inspection and Licensing of Adult Care Home Facilities), or 131E (Health Care Facilities and Services), or Article 64 of GS Chapter 58 (Continuing Care Retirement Communities). Redefines the term *health care provider* to mean: (1) an individual licensed, certified, or otherwise authorized under GS Chapters 90 or 90B to provide health care services in the ordinary course of business or practice of a profession or in an approved education or training program; (2) a health care facility where health care services are provided to patients, residents, or others to whom such services are provided as allowed by law; (3) individuals licensed under GS Chapter 90 or practicing under waiver in accordance with GS 90-12.5; (4) any emergency medical services personnel as defined by statutory cross-reference; (5) any individual providing health care services within the scope of authority permitted by a COVID-19 emergency rule; (6) any individual who is employed as a health care facility administrator, executive, supervisor, board member, trustee, or other person in a managerial position or comparable role at a health care facility; (7) an agent or employee of a health care facility that is licensed, certified, or otherwise authorized to provide health care services; (8) an officer or director of a health care facility; or (9) an agent or employee of a health care provider who is licensed, certified, or otherwise authorized to provide health care services. Modifies the definition of *health care service* to now mean treatment, clinical direction, supervision, management, or administrative or corporate service provided by a health care facility or a health care provider during the period of the COVID-19 emergency declaration, regardless of location in the state, where the services are rendered to provide testing, diagnosis, or treatment; dispense drugs, medical devices, medical appliances, or medical goods; or provide care to another individual, as previously described.

Limits the scope of immunity provided in proposed GS 90-21.133 to civil immunity only, rather than both civil and criminal immunity. Makes conforming changes throughout and makes identical changes to the immunity provisions for volunteer organizations. Makes clarifying and organizational changes to the conditions specified for immunity to apply.

Adds a severability clause and directs liberal construction of the Article.

Changes the scope of the Article to now provide that the act applies to acts or omissions occurring during the time of Executive Order No. 116 issued on March 10, 2020, and any subsequent time period during which a gubernatorial state of emergency is declared to be in effect during calendar year 2020 in response to COVID-19 (previously, applied retroactively to all acts, omissions, or decisions on or after March 10, 2020, that serve as a basis to a claim).

Adds new Section 4.8 amending GS 90-85.3A to include with the practice of pharmacy, the administration by pharmacists of diagnostic tests and antibody tests for Coronavirus Disease 2019 to patients if the test has been approved or authorized for emergency use by the US FDA.

Adds that for the duration of the COVID-19 emergency, a hospital, nursing home, or clinic with a valid State registration for controlled substances may temporarily dispense or use controlled substances at additional places of business by completing the specified registration process and providing all required information for any temporary overflow facility or satellite facility. Specifies that there is no registration fee for the emergency registration. Expires 60 days after Executive Order No. 116 is rescinded, or December 31, 2020, whichever is earlier.

Adds that all healthcare providers must receive and report to the Commission for Public Health and the Division of Public Health the results of any COVID-19 diagnostic test or antibody test performed on an individual before any non-emergency surgery or procedure. Requires DHHS to report this pre-procedure test result data on its website on a county-by-county basis, updated daily.

Amends Section 5.2 as follows. Clarifies that the waiver of the three-year fingerprinting requirements applies to current child care providers. Specifies that in accordance with federal guidance, all available State and federal name-based criminal background checks for prospective employees seeking employment in licensed child care must be completed (was, the federal

requirements for fingerprint-based checks every five years is still applicable). Requires prospective employees to be issued a provisional qualification status. Requires that where only State and federal name-based checks were completed, that fingerprint-based checks be done within 60 days of Executive Order 116 being rescinded; if that is not done, then the prospective employee is disqualified until a finger-print based check is completed. Adds a requirement that the Division of Social Services is to temporarily waive any requirement to complete a fingerprint-based criminal history check pertaining to adoptions, foster care, or child care institutions. Requires, however, that in accordance with federal guidelines, name-based criminal background checks be completed, and in such situations where only name-based checks were completed, that fingerprint-based criminal history checks be completed within 60 days of Executive Order 116 being rescinded.

Amends Section 5.7 to require the suspension of all biennial inspections in addition to annual inspections and regular monitoring requirements for the specified licensed facilities. Expands upon that list to also include those licensed under Articles 5 (Hospital Licensure Act), 6 (Health Care Facility Licensure Act), and 10 (Hospice Licensure Act) of GS Chapter 131E, as well as any provisions within any rules adopted under the specified chapters that pertain to DHHS or the Division of Health Service Regulation monitoring, inspection, or investigative requirements. Maintains the exceptions already listed in the section. Makes additional clarifying changes.

Amends Section 6.1 by clarifying that the the first exams that can be conducted in the physical face-to-face presence of the commitment examiner or using telehealth apply to exams that are required by GS 122C-263 to determine whether the respondent will be involuntarily committed due to mental illness as well as those required by GS 122C-283(a) to determine whether the respondent will be involuntarily committed due to substance use disorder.

Intro. by P. Jones, White, Cunningham, Dobson.

STUDY, GS 58, GS 90

Government, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of Public Safety, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance

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H 1038 (2019-2020) **OMNIBUS COVID-19 RESPONSE FUNDS. (NEW)** Filed Apr 28 2020, *AN ACT MAKING OMNIBUS APPROPRIATIONS OF FEDERAL FUNDS FOR COVID-19 RESPONSE AND RELIEF EFFORTS IN NORTH CAROLINA, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COVID-19.*

House committee substitute rewrites the provisions of the 1st edition, with a few exceptions as noted, and now provides the following.

Part I.

Titles the act as the “Omnibus COVID-19 Response Act of 2019.”

Sets forth defined terms. Defines coronavirus or COVID-19 by federal cross-reference. Defines COVID-19 Recovery Legislation as: (1) Coronavirus Aid, Relief, and Economic Security (CARES) Act, PL 116-136; (2) Families First Coronavirus Response Act, PL 116-127; and (3) Coronavirus Preparedness and Response Supplemental Appropriations Act 2020, PL 116-123. Defines the Coronavirus Relief Fund as funds received by the State during the 2019-20 fiscal year from the federal Coronavirus Relief Fund created by the CARES Act.

Sets out NCGA findings and the purpose of the act.

Specifies that the appropriations and allocations made in the act are for maximum amounts necessary to implement the act. Requires State agencies to maximize the use of federal funds made available in the act wherever possible within the allowable uses before using other State funds.

Provides that if an allocation made in the act is disallowed by federal law, then the disallowed allocation is repealed and the amount of the disallowed funds is to be transferred to the new Coronavirus Relief Fund.

Requires the Office of State Budget and Management (OSBM) to work with the recipient State agencies to budget receipts awarded pursuant to COVID-19 Recovery Legislation according to the program needs and within the parameters of the respective granting entities and applicable federal laws and regulations. Prohibits State agencies from using these funds for recurring purposes. Specifies that revenue replacement is not a permissible use of funds received pursuant to the CARES Act. Allow the employment of additional temporary state personnel depending on the nature of the award.

Require OSBM to report to the specified NCGA commission and division by March 1, 2021, on the use of funds allocated under Section 3.3 of this act. Also requires recipient agencies and departments to report to the specified NCGA commission and division by no more than 90 days from the day the grant period ends on the use of funds. Specifies what information is to be included in the reports.

Directs the State Auditor to conduct a preliminary financial audit and a final performance audit on the Coronavirus Relief Fund, established by the act, by March 1, 2021.

Deems departmental receipts appropriated for the 2019-20 and 2020-21 fiscal years up to the amounts needed for the act's implementation.

Part II.

Requires the State Controller to establish a Coronavirus Relief Reserve (Reserve) in the General Fund to maintain federal funds received from the Coronavirus Relief Fund created under The CARES Act. Requires the transfer of funds to the Coronavirus Relief Fund established in this act only as needed to meet the appropriations in this act and only upon request of the Director of the Budget. Specifies that funds reserved in the Reserve do not constitute an "appropriation made by law," as used in Section 7(1) of Article V of the North Carolina Constitution.

Establishes the Coronavirus Relief Fund (Fund) to provide relief and assistance from the effects of COVID-19, consistent with the provisions of this act and subsequent legislation addressing the effects of COVID-19. Requires OSBM to administer the Fund. Requires funds allocated from the Fund to be used for necessary expenditures incurred due to the public health emergency with respect to the COVID-19 outbreak and limits funding eligibility to expenditures incurred from March 1, 2020, to December 30, 2020.

Part III

Directs the State Controller to transfer \$1,635,567,029 to the Fund from the Reserve for the 2019-20 fiscal year. Appropriates \$1,635,567,029 in nonrecurring funds to OSBM for the 2019-20 fiscal year. Specifies that the funds do not revert and remain available until December 30, 2020.

Directs OSBM to allocate the funds in specified amount for specified purposes to the following entities, with specified restrictions, conditions, and reporting requirements:

- (1) the Department of Public Instruction (DPI) for school nutrition services;
- (2) DPI to work with the Friday Institute for Education Innovation at NCSU regarding approaches for student internet connectivity and digital development;
- (3) DPI for installing internet access points in school buses;
- (4) DPI for providing community and home mobile internet access points;
- (5) DPI for elementary or secondary schools to purchase computers and electronic devices for student use;
- (6) DPI for elementary or secondary schools to purchase computers and electronic devices for personnel use;
- (7) DPI to purchase pre-packaged digital curricula for grades K-12;
- (8) DPI for statewide cybersecurity infrastructure and district cybersecurity monitoring and support;
- (9) DPI for school health support personnel;
- (10) DPI for local school administrative units, charter schools, and the Innovative School District (ISD) for supplemental summer learning programs;

- (11) DPI to expand the learning management platform to assist and support public school units' remote instruction;
- (12) DPI to provide nondigital remote instruction to students with limited connectivity;
- (13) DPI to provide Extended School Year Services or future services for qualified exceptional students;
- (14) DPI for the School of the Blind, School for the Deaf, and School for the Deaf for school nutrition, cleaning and sanitizing, digital and nondigital remote learning resources, compensatory services, and Extended School Year Services;
- (15) DPI for the Extended Learning and Integrated Student Supports Competitive Grant Program for the 2019-20 and 2020-21 fiscal years for at-risk students, as specified;
- (16) the Community Colleges System Office for enhanced online learning capacity, faculty and staff support, Small Business Center counselors, information technology, and facility sanitation;
- (17) UNC Board of Governors (BOG) for online coursework expenses, digital learning accelerator, facility sanitation, and student and employee assistance;
- (18) UNC BOG for the State Education Assistance Authority for private postsecondary institutions' online education and student assistance;
- (19) OSBM to establish the COVID-19 Response Research Fund for allocations to the NC Policy Collaboratory for the Duke University Human Vaccine Institute, the Gillings School of Global Public Health of UNC-Chapel Hill, the Brody School of Medicine of ECU, and the Wake Forest School of Medicine, and for Campbell University School of Osteopathic Medicine for COVID-19 response and developments (similar to previous section 9.1);
- (20) the Department of Health and Human Services (DHHS) to support response capacity of public health efforts, the State Laboratory of Public Health, local health departments, and rural health providers;
- (21) DHHS to support behavioral health and crisis services, with allocations to each LME/MCO and the DHHS, Division of Mental Health, Development Disabilities, and Substance Abuse Services;
- (22) DHHS, Division of Health Benefits (DHB) for additional costs to the Medicaid program including provider support, COVID-19 testing and treatments, and increased enrollment;
- (23) OSBM for DHHS and the Department of Public Safety (DPS), Division of Emergency Management (DEM) to purchase personal protective equipment (PPE) and other supplies and equipment related to emergency protective measures (similar to previous section 4.1);
- (24) DHHS to expand public and private initiatives for COVID-19 testing, contact tracing and trends tracking and analysis (similar to previous section 5.1);
- (25) DHHS to provide funding for protective services and child care, including allocations to the State's food banks and Reinvestment Partners (similar to previous section 6.1);
- (26) DHHS, Division of Social Services (DSS) for foster care assistance (similar to previous section 6.2);
- (27) DHHS, DSS for facilities licensed to accept State-County Special Assistance for resident services (similar to previous section 6.3);
- (28) DHHS to support rural and underserved communities (similar to previous Section 7.1);
- (29) OSBM to provide a directed grant to the NC Healthcare Foundation for grants awards to rural hospitals, as specified (similar to previous section 7.2);
- (30) DHHS, Division of Central Management and Support, Office of Rural Health for directed grants to member clinics of the NC Association of Free and Charitable Clinics for health care and prescription medication costs (similar to previous section 7.3);
- (31) DHHS to provide a directed grant to NC MedAssist for prescription medication costs for indigent or uninsured individuals (similar to previous section 7.4);

- (32) OSBM to establish the COVID-19 Teaching Hospitals Relief Fund for directed grants to CMS classified teaching hospitals for patient care expenses, as specified (similar to previous section 8.1);
- (33) OSBM to establish the COVID-19 General Hospitals Relief Fund for directed grants to hospitals not classified as teaching or rural hospitals for patient care expenses, as specified (similar to previous section 8.2);
- (34) OSBM for the Department of Transportation (DOT), subject to specified conditions;
- (35) OSBM for counties eligible to receive direct funding from the federal CARES Act;
- (36) OSBM for State agencies for loss of anticipated receipts; and
- (37) OSBM for the continuity of operations across state government, with allocations permitted for the Department of Agriculture and Consumer Services (DACS) for animal depopulation and disposal activities, for the establishment of the NC Pandemic Recovery Office, and for the Office of the State Auditor.

Requires OSBM to provide a report to the specified NCGA committee by August 15, 2020, detailing the allocations. Details required content of the report.

Part III-A.

Maintains provisions from former Sections 3.2 through 3.5. Makes technical changes. Removes the appropriation that was in former Section 3.1, because it now appears in Section 3.2(22).

Part III-B.

Directs OSBM to establish a temporary NC Pandemic Recovery Office (Office), charged with oversight and coordination of funds made available under COVID-19 Recovery Legislation. Additionally requires the Office to provide technical assistance and ensure coordination of federal funds received by State agencies and local governments, and ensure property reporting and accounting. Terminates the Office and the authorities granted in the act 12 months after the date the act becomes law.

Part III-C.

Requires the Department of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) to use the \$400,000 allocated to it to purchase units of opioid antagonist and distribute these opioid antagonist units for free to charge to opioid treatment programs (as defined) operating in this State.

Requires each opioid treatment program operating in this State to do all of the following within two weeks after receipt of the opioid antagonist: (1) provide a prescription for opioid antagonist for each program participant who is a Medicaid recipient, or has prescription drug coverage for opioid antagonist; (2) to the extent that units are available from those distributed by DMH/DD/SAS, provide at least one unit of opioid antagonist to each program participant who meets at least one of the following: (a) is uninsured, (b) lacks prescription drug coverage for opioid antagonist, or (c) is receiving opioid use disorder services funded by a grant, a local management entity/managed care organization, or another source of funding not associated with the federal Centers for Medicare and Medicaid Services or a commercial payor; and (3) to the extent that units are available from those distributed by DMH/DD/SAS, or otherwise available to program participants through the State's Medicaid program or other prescription drug coverage for opioid antagonist, provide each program participant who has take-home medication privileges with the opportunity to obtain prescription refills for opioid antagonist.

Specifies that the NCGA is not obligated to appropriate funds for the purpose of this section, or as an entitlement to any opioid treatment program or any opioid treatment program participant to receive opioid antagonist under this section.

Part IV.

Provides that except for funds subject to the small business loan fund under the act or to Section 2.1 of the act, funds received from federal grants authorized under the COVID-19 Recovery Legislation are appropriated in the amounts specified in the award notification from the federal government or entity administering the funds. Allows State agencies, with approval from the Director of the Budget, to spend funds received from federal receipts and grants resulting from enactment of the COVID-19 Recovery Legislation that are not subject to Section 2.1 of the act. Specifies that Section 2.2(c) of SL 2019-192 (requiring that each program category under the Community Development Block Grant be increased by the same percentage as the

increase in federal funds) for block grants appropriated by Congress in addition to the funds specified in the act) does not apply to grant funds received under the COVID-19 Recovery Legislation.

Sets out a schedule allocating specific funding amounts to 38 different specified programs. Provides that the programs and amounts are estimates of the State's allocations from the COVID-19 Recovery Legislation and is illustrative of federal grants that have or will be received by the State in addition to the approximate \$3.5 billion from the Coronavirus Relief Fund under the CARES Act. Specifies that no funds authorized under the CARES Act for election security are appropriated in the act and that the NCGA intends to appropriate funds for election security in a subsequent act.

States the legislative intent to address the State's additional elections needs resulting from the COVID-19 pandemic in separate legislation. Prohibits funds appropriated in the act or in the State Board of Elections 2019-20 fiscal year budget to be expended to meet the matching requirements for additional federal funds awarded to the State after enactment of SL 2019-239 (Combat Absentee Ballot Fraud).

Part V.

Includes a severability clause (identical to previous part XII).

Part VI.

Includes a standard effective date provision (identical to previous part XIII).

Amends the act's titles.

Intro. by Lambeth, Carney, Dobson, P. Jones.

APPROP

Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, Elections, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of Public Safety, Department of Transportation, Office of State Auditor, Office of State Budget and Management, State Board of Elections, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance

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H 1043 (2019-2020) **COVID-19 TIME SENSITIVE MATTERS**. Filed Apr 28 2020, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAW RELATED TO THE COVID-19 PUBLIC HEALTH CRISIS*.

House committee substitute makes the following changes to the 1st edition.

Section 21

Specifies that the proposed one-month separation requirement for retirement to become effective for retirees of the Teachers' and State Employees' Retirement System (TSERS) for individuals that retired on or after October 1, 2019, but before April 1, 2020, applies only if the position to which the individual returns is needed due to the COVID-19 pandemic. Requires the employing agency to certify this need to the Retirement Systems Division (RSD) of the Department of State Treasurer.

Limits the scope of the characterization of earnings received by TSERS and Local Government Employees Retirement System (LGERS) beneficiaries between March 10, 2020, and August 1, 2020, to apply only to individuals retiring prior to April 1, 2020, and returning to positions needed due to the COVID-19 pandemic, as certified to RSD by the employing agency.

Similarly, limits the scope of the impact of any earnings received by or paid to a law enforcement officer or retired law enforcement officer for separation allowances under Article 12D of GS Chapter 143 for any work performed between March 10, 2020, and August 1, 2020, to apply only to individuals who return to positions needed due to the COVID-19 pandemic, as certified to RSD by the employing unit.

Intro. by Bell, Jackson, Lewis.

[GS 1A, GS 10B, GS 14, GS 20, GS 32A, GS 35A, GS 45A, GS 51, GS 74C, GS 90, GS 113A, GS 122C, GS 130A, GS 131F, GS 135, GS 143, GS 143C, GS 148, GS 150B, GS 153A, GS 159, GS 160A, GS 166A](#)

[Courts/Judiciary, Civil, Civil Law, Civil Procedure, Family Law, Motor Vehicle, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Employment and Retirement, Environment, Government, APA/Rule Making, Public Records and Open Meetings, Public Safety and Emergency Management, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of Transportation, Secretary of State, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Public Health, Mental Health, Social Services, Adult Services](#)

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H 1047 (2019-2020) [EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS](#). Filed Apr 29 2020, *AN ACT TO AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT, TO REQUIRE IDENTIFICATION OF MILITARY-CONNECTED STUDENTS IN NONPUBLIC SCHOOLS, AND TO CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION, AS RECOMMENDED BY THE NORTH CAROLINA MILITARY AFFAIRS COMMISSION.*

Part I

Amends GS 115C-366 to modify the conditions that permit a student who is not a domiciliary of a local school administrative unit to attend a public school of that unit without payment. Currently, allows for the student to attend if he or she resides with an adult who is a domiciliary of the unit and the parent or legal guardian is on active military duty and is deployed out of the local school administrative unit in which the student resides. Replaces the provision to provide for situations in which the student resides with an adult who is a domiciliary of the administrative unit and the parent or legal guardian is on active military duty and his or her commanding officer provides a signed letter that the parent or legal guardian's military orders prevent the parent or legal guardian from physically residing with the student. Conditions assignment upon the commanding officer's letter including the required affidavits (existing requirement) of the student's parent, guardian or legal custodian, as well as an indication of the time period that the military orders will be in effect. Maintains that the term activity duty military excludes periods of active duty for training for less than 30 days. Amends the statute further to specify that no requirement of legal guardianship by the caregiver is required for a student to qualify for enrollment under these provisions.

Enacts GS 115C-366(a10) to establish that a student who is not a domiciliary of a local school administrative unit is permitted to register for enrollment in the public schools of that unit if the student resides in that unit with a parent, legal guardian, or legal custodian on active military duty who is assigned by official military order to a military installation or reservation in the State. Clarifies that this new provision does not curtail a unit's authority to deny admission to students previously suspended under GS 115C-366(a5).

Applies beginning with the 2020-21 school year.

Part II

Enacts GS 115C-550.1 and GS 115C-558.1 to require private church schools, schools of religious charter, and qualified nonpublic schools to annual report to the Division of Nonpublic Education, Department of Administration on enrolled military-connected students. Defines a *military-connected student* to mean a student enrolled who has a parent, stepparent, sibling, or any other person who resides in the same household serving in the active or reserve components of the specified Armed Forces. Specifies that identification as a military-connected student is not public record under state law and can only be made public as permitted under the federal Family Educational Rights and Privacy Act (FERPA) or by the Division of Nonpublic Education to any liaison in the State employed by the State, a local government, or the Armed Forces.

Amends GS 115C-564 to require home schools to annually report a notice of intent to operate with the Division of Nonpublic Education and comply with the reporting of military-connected students consistent with new GS 115C-550.1 and GS 115C-558.1. Provides for a simplified process for a notice of intent for continued operations of home schools with no changes from the prior notice.

Requires the Division of Nonpublic Education to establish the simplified process for home schools to annually update the notice of intent to operate by August 1, 2020.

Applies to all nonpublic schools beginning with the 2020-21 school year.

Part III

Enacts GS 116-143.3(c1) to permit a dependent relative who resides with a member of the Armed Forces who is reassigned outside of the State incident to active duty military to remain eligible to be charged the in-State tuition rate at a state community college or UNC institution if two criteria are met: (1) at the time the dependent relative applies for admission, he or she is enrolled in a NC high school and meets the existing requirements for admission set out in subsection (c) of the act; and (2) the dependent relative enrolls no later than the fall academic year immediately following admission and remains continuously enrolled at the institution of higher education.

Applies to students admitted for the fall academic semester of 2020 and thereafter.

Intro. by Cleveland, Bell, Martin.

[GS 115C, GS 116](#)

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Department of Administration, Military and Veteran's Affairs

H 1048 (2019-2020) [CPS INTAKE SCREENING/PED RECOMMENDATIONS](#). Filed Apr 29 2020, *AN ACT TO PROHIBIT COUNTY DEPARTMENTS OF SOCIAL SERVICES FROM IMPLEMENTING CHILD PROTECTIVE SERVICES INTAKE SCREENING CRITERIA THAT IS MORE STRINGENT THAN, OR IN ADDITION TO, STATE POLICY AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAKE VARIOUS POLICY CHANGES AS A MEANS TO IMPROVE THE CHILD PROTECTIVE SERVICES INTAKE SCREENING PROCESS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Enacts GS 7B-300.1 to prohibit county departments of social services from supplementing child protective services intake screening criteria with additional or more stringent county policy than State policy.

Mandates the Department of Health and Human Services (DHHS), Division of Social Services (DSS) to implement a rapid consultation system with counties in making decisions regarding the safety of children, including a devoted telephone line for county workers or supervisors to request DSS consultation. Requires at least two DSS staffers to consult with the county department within 24 hours of receipt of a request. Directs DSS to implement the rapid consultation system by June 30, 2021, and submit a report on its implementation to the specified NCGA committee by December 31, 2021.

Additionally, directs DSS to periodically assess county departments of social services' workers and supervisors' comprehension and correct implementation of State policy and their training needs regarding screening of reports of alleged child maltreatment. Specifies assessment techniques to be used and directs DSS to require retraining when necessary. Further directs DSS to increase the frequency of intake training, develop an intermediate intake screening course, and require county workers and supervisors to complete intake screening training at least every three years. Requires DSS to implement the

assessment and training requirements by December 31, 2020, and submit a report on its use of the requirements to the specified NCGA committee by June 30, 2021.

Directs DSS to revise the child protective services structured intake form that is used by county departments of social services to screen reports of alleged child maltreatment. In consultation with the Children's Research Center or a similar organization, requires DSS to revise the form to ensure it continues to meet federal and State requirements and provides consistency for use statewide. Requires DSS to recertify the structured form every five years, continue to consult with the Children's Research Center or a similar organization when State policy changes require modifications to the structured intake form. Establishes biennial reporting requirements, beginning July 30, 2020, for DSS to report to the specified NCGA committee on its revision process until revisions are complete.

Mandates that DSS implement statistically valid program monitoring for county intake screening procedures and establish measurable performance benchmarks that can be applied to all counties. Requires DSS to perform county data reviews for intake screening at least annually beginning no later than December 31, 2024. Provides parameters for performance review sampling and monitoring. Establishes an annual reporting requirement, beginning June 30, 2021, and ending December 31, 2024, for DSS to report to the specified NCGA committee its progress toward improved monitoring and continuous quality improvement.

Intro. by Horn.

GS 7B

[View summary](#)

Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare

H 1049 (2019-2020) [PED/DEQ ORGANIZATIONAL STRUCTURE](#). Filed Apr 29 2020, *AN ACT TO IMPROVE THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY BY DIRECTING THE DEPARTMENT TO EXAMINE CERTAIN OF ITS ORGANIZATIONAL UNITS WITH SPANS OF CONTROL LESS THAN THE RECOMMENDED THRESHOLD AND TO DEVELOP A FORMAL BUSINESS PLAN FOR THE PERMIT TRANSFORMATION PROJECT AS WELL AS A PERFORMANCE MANAGEMENT PLAN FOR PERMIT PROCESSES THAT INCLUDES A DATA MANAGEMENT SYSTEM SUFFICIENT TO SUPPORT THE PERMIT TRANSFORMATION PROJECT AND THE PERFORMANCE MANAGEMENT PLAN, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Part I.

Directs the Department of Environmental Quality (DEQ) to study and report the narrow spans of control within the Divisions of Mitigation Services and Marine Fisheries, the Office of Environmental Education and Public Affairs, and the Department's Financial Services and Human Resources units. Defines narrow span of control as an organizational structure in which a supervisor oversees three or fewer employees, as specified. Details parameters of the study and report, due to the specified NCGA committee by February 1, 2021, including detailed justifications of the positions involved, identification of narrow spans of control that could be combined or collapsed into other spans, and determination of the feasibility and effectiveness in combining narrow spans of control and retaining employees by salary increase rather than supervisory promotion, as described.

Part II.

Directs DEQ to develop a business plan and return on investment analysis for the Permitting Transformation Project (PTP), including a data-driven analysis of costs and anticipated benefits, an implementation timeline, a comparison of the intended PTP approach to a standard or customized system from a private vendor, and a summary comparison of the intended PTP approach to that used in other states.

Additionally, directs DEQ to develop a performance management system for the PTP, including a method for establishing permit processing performance measures and benchmarks and a plan for collecting permit processing data over time to

longitudinally assess performance. Requires consultation with the Office of State Budget and Management. Directs DEQ to report to the specified NCGA committee by February 1, 2021.

Intro. by Horn, Fraley.

STUDY

[View summary](#)

Environment, Government, State Agencies, Department of Environmental Quality (formerly DENR)

H 1050 (2019-2020) **PED/LOW-PERFORMING SCHOOL DISTRICTS**. Filed Apr 29 2020, *AN ACT TO REQUIRE CONSIDERATION OF EARLY CHILDHOOD LEARNING IN IMPROVEMENT PLANS FOR LOW-PERFORMING LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE THAT COMPREHENSIVE NEEDS ASSESSMENTS FOR LOW-PERFORMING LOCAL SCHOOL ADMINISTRATIVE UNITS INCLUDE ANALYSIS OF EARLY CHILDHOOD LEARNING, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Amends GS 115C-105.39A to require the superintendent of a local school administrative unit that has been identified as low-performing by the Board of Education to include in the preliminary improvement plan, that the superintendent is required to submit to the State Board within 30 days after identification, specific strategies to improve early childhood learning with measurable goals.

Requires the Department of Public Instruction (DPI) to ensure that the comprehensive needs assessment tool used when providing support to low-performing administrative units through Regional Support Teams includes an examination of early childhood learning. Requires the assessment to at minimum examine five components for preschool through third grade: (1) training levels of early childhood teachers and support staff; (2) the student-teacher ratio; (3) alignment of preschool curricula to curricula of K-3 grades; (4) kindergarten transition supports; and (5) kindergarten preparedness.

Applies beginning with local school administrative units identified as low-performing during the 2019-20 school year.

Intro. by Horn, Fraley, Clemmons.

GS 115C

[View summary](#)

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

PUBLIC/SENATE BILLS

S 704 (2019-2020) **COVID-19 RECOVERY ACT**. Filed Apr 28 2020, *AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS.*

Part I.

Titles the act as the "2020 COVID-19 Recovery Act."

Defines *coronavirus or COVID-19* as the Coronavirus Disease 2019. Defines *COVID-19 Recovery Legislation* as: (1) Coronavirus Aid, Relief, and Economic Security (CARES) Act, PL 116-136; (2) Families First Coronavirus Response Act, PL 116-127; (3) Coronavirus Preparedness and Response Supplemental Appropriations Act 2020, PL 116-123; and (4) Paycheck Protection Program and Health Care Enhancement Act, PL 116-139.

Sets out NCGA findings and the purpose of the act.

Specifies that the appropriations and allocations made in the act are for maximum amounts necessary to implement the act. Requires State agencies to maximize the use of federal funds made available in the act wherever possible within the allowable uses before using other State funds.

Provides that if an allocation made in the act is disallowed by federal law, then the disallowed allocation is repealed and the amount of the disallowed funds is to be transferred to the new Coronavirus Relief Fund.

Requires the Office of State Budget and Management (OSBM) to work with the recipient State agencies to budget receipts awarded pursuant to COVID-19 Recovery Legislation according to the program needs and within the parameters of the respective granting entities and applicable federal laws and regulations. Prohibits State agencies from using these funds for recurring purposes. Specifies that revenue replacement is not a permissible use of funds received pursuant to the CARES Act. Allows the employment of additional temporary state personnel depending on the nature of the award.

Requires OSBM to report to the specified NCGA commission and division by March 1, 2021, on the use of funds allocated under Section 3.3 of this act. Also requires recipient agencies and departments to report to the specified NCGA commission and division no later than 90 days from the day the grant period ends on the use of funds. Specifies what information is to be included in the reports.

Part II.

Requires the State Controller to establish a Coronavirus Relief Reserve (Reserve) in the General Fund to maintain federal funds received from the Coronavirus Relief Fund created under The CARES Act. Requires the transfer of funds to the Coronavirus Relief Fund established in this act only as needed to meet the appropriations in this act and only upon request of the Director of the Budget. Specifies that funds reserved in the Reserve do not constitute an "appropriation made by law," as used in Section 7(1) of Article V of the North Carolina Constitution.

Establishes the Coronavirus Relief Fund (Fund) to provide relief and assistance from the effects of COVID-19, consistent with the provisions of this act and subsequent legislation addressing the effects of COVID-19. Requires OSBM to administer the Fund. Requires funds allocated from the Fund to be used for necessary expenditures incurred due to the public health emergency with respect to COVID-19 and limits funding eligibility to expenditures incurred from March 1, 2020, to December 30, 2020.

Requires the State Controller to establish a DOT Coronavirus Relief Reserve (DOT Reserve) in the General Fund to maintain certain federal funds transferred from the Reserve that are eligible to mitigate the impact of the COVID-19 outbreak in the State on the Department of Transportation (DOT) and the State transportation system. Requires the transfer of \$300 million from the Reserve to the DOT Reserve. States the NCGA's intent to appropriate up to \$300 million if DOT experiences a revenue shortfall and the CARES Act is amended to allow the use of federal funds for that purpose. Specifies that funds reserved in the DOT Reserve do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

Requires the State Controller to establish a Local Government Coronavirus Relief Reserve (Local Reserve) in the General Fund to maintain certain federal funds transferred from the Reserve that are eligible to mitigate the impact of the COVID-19 outbreak in North Carolina on the revenue of local governments. Requires the transfer of \$300 million from the Reserve to the Local Reserve. States the NCGA's intent to appropriate up to \$300 million if local governments experience a revenue shortfall and the CARES Act is amended to allow the use of federal funds for that purpose. Specifies that funds reserved in the Local Reserve do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

Part III.

Directs the State Controller to transfer \$598,090,000 from the Coronavirus Relief Reserve to the Coronavirus Relief Fund (Fund) for the 2019-20 fiscal year.

Appropriates \$473,090,000 in nonrecurring funds to OSBM for the 2019-20 fiscal year to be allocated and used as provided below. Specifies that the funds do not revert at the end of the fiscal year and instead remain available until December 30, 2020.

Directs OSBM to allocate funds in specified amounts for specified purposes to the following entities: the Department of Health and Human Services (DHHS) for the NC Healthcare Foundation, the NC Senior Living Association, and the NC Medical Society for supplies and equipment; DHHS, Division of Social Services (DSS), for the six food banks in North Carolina; DHHS, Division of Social Services, for facilities licensed to accept State-County Special Assistance for resident services support; DHHS, DSS, for foster care services; DHHS, DSS, for LINKS program funding; the Department of Agriculture and Consumer Services for animal depopulation and disposal; OSBM for the NC Association of Free and Charitable Clinics for

health services costs; OSBM for the NC Community Health Centers Association for health services costs; the Community Colleges System Office to support online learning capacity; the UNC Board of Governors for online learning, facility sanitation, and student and employee assistance; the UNC Board of Governors for the State Education Assistance Authority for online learning and student assistance; OSBM for the General Assembly for Wake Forest University Health Services for research data; OSBM for Wake Forest University Health Services to expand its COVID-19 study; OSBM for Duke University Human Vaccine Institute for COVID-19 vaccine development; Department of Commerce to contract with a corporation for marketing COVID-19 concepts, strategies, and materials; OSBM for continuity of operations needs across state government; OSBM for the Old North State Medical Society Inc. to target rural areas and African American communities with outreach, health education, and testing; Department of Information Technology to purchase mobile Wi-Fi routers for development tier one and two areas; UNC-Chapel Hill for the NC Policy Collaboratory to coordinate entities' COVID-19 response and development; Department of Public Instruction for summer learning programs (DPI); DPI for school nutrition services; Department of Information Technology for the Growing Rural Economies with Access to Technology Fund for supplemental funding for grantee projects that will increase broadband access or provision; and DHHS for COVID-19 testing, tracing, and trend-tracking expansion.

Part IV.

Provides that except for funds subject to the small business loan fund under the act or to Section 2.1 of the act, funds received from federal grants authorized under the COVID-19 Recovery Legislation are appropriated in the amounts specified in the award notification from the federal government or entity administering the funds. Allows State agencies, with approval from the Director of the Budget, to spend funds received from federal receipts and grants resulting from enactment of the COVID-19 Recovery Legislation that are not subject to Section 2.1 of the act. Specifies that Section 2.2(c) of SL 2019-192 (requiring that each program category under the Community Development Block Grant be increased by the same percentage as the increase in federal funds) for block grants appropriated by Congress in addition to the funds specified in the act) does not apply to grant funds received under the COVID-19 Recovery Legislation.

Sets out a schedule allocating specific funding amounts to 38 different specified programs. Provides that the programs and amounts are estimates of the State's allocations from the COVID-19 Recovery Legislation and is illustrative of federal grants that have or will be received by the State in addition to the approximate \$3.5 billion from the Coronavirus Relief Fund under the CARES Act. Specifies that no funds authorized under the CARES Act for election security are appropriated in the act and that the NCGA intends to appropriate funds for election security in a subsequent act.

Allocates \$125 million to OSBM for Golden LEAF for grants to entities to make emergency loans to assist small businesses with business needs during periods of economic hardship occasioned by the epidemic. States the NCGA's intent for an equitable portion of funds to be used to benefit historically underutilized small businesses. Details ten requirements and criteria for the loans, including working with specified entities to ensure that all qualifying businesses are aware of the program, setting a maximum term of the loan to 66 months and a maximum amount of the loan at \$50,000 per qualifying business, and barring the award of new loans using State funds appropriated in the act at six months following the date the state of emergency, defined by Executive Order No. 116 issued on March 10, 2020, ends. Additionally, directs Golden LEAF to require lenders to prioritize loans for establishments with 100 or fewer full-time equivalent employees as of the State of Emergency, and that are independently owned by a qualifying business. Sets forth seven defined terms. Defines a *qualifying business* to mean a business with a physical presence in the state that is able to show economic losses as a result of COVID-19. Predicates the appropriations upon Golden LEAF matching State funds at \$15 of non-State funds for every \$125 of State funds appropriated by the act. Allows for matching by prior non-State fund expenditures as specified. Requires Golden LEAF to remit the net loan funds that have been received to OSBM every six months following the end of the state of emergency. Requires OSBM to deposit the funds into the General Fund. Specifies that amounts deposited into the Reserve are receipts that do not constitute "an appropriation made by law" as used in Section 7(1) of Article V of the NC Constitution. Establishes biannual reporting requirements for Golden LEAF to report to specified NCGA committees and division on the program. Terminates the reporting requirement after submission of the report following remittance of the entirety of the net loan fund to OSBM. Details required contents of the reports, including the number of loans awarded and jobs retained, and the amount of loans repaid and defaulted to date.

Part V.

Sets out five defined terms and states the purpose of Part V is to clarify or modify certain requirements in consideration of actions and circumstances related to the COVID-19 emergency, including federal testing waiver and the school closure period.

Defines the school closure period as the period beginning March 16, 2020, and continuing until the latest of May 15, 2020, the date specified by an executive order superseding the school closure period in Executive Order No. 120, Additional Limitations on Mass Gatherings, Restrictions on Venues and Long Term Care Facilities, and Extension of School Closure Date, or the date specified in any such executive order superseding the superseding executive order.

Waives end-of-grade and end-of-course tests for the 2019-20 school year.

Requires public school units to administer the norm-referenced college admissions tests made available by the State Board of Education (State Board) during the fall semester of the 2020-21 school year to all 2019-20 eleventh grade students who were not administered the test during the 2019-20 school year, unless a student has already taken a comparable test and scored at or above a level set by the State Board. Defines *school closure period* to mean the period beginning March 16, 2020, and continuing until the latest of: May 15, 2020, the date specified by an executive order superseding the school closure period in Executive Order No. 120, or the date specified in any executive order superseding the executive order superseding Executive Order No. 120.

Specifies that no additional diagnostic and formative reading assessments beyond those administered prior to the school closure period, as defined, are required for the 2019-20 school year for kindergarten through third grade students.

Specifies that local administrative units are not required to administer the WorkKeys tests to any students who complete a concentration in career and technical education courses for the spring semester of the 2019-20 school year.

Makes the provisions of GS 115C-12(9)c1., which sets out the State Board's duty to issue State report cards for each local school administrative unit, and GS 115C-83.15(a) through (f), which requires the State Board to award school achievement, growth, and performance scores and sets forth calculation factors, inapplicable for the 2020-21 school year based on data from the 2019-20 school year. Requires the State Board to display a brief explanation that report cards for schools were not issued for the 2020-21 school year on the Department of Public Instruction (DPI)'s website, as required under GS 115C-83.15(g). Similarly, requires public school units to display a brief explanation that report cards for schools were not issued for the 2020-21 school year, as required by specified state laws requiring distribution of issued report cards.

Directs that educational performance and growth of students in alternative schools and alternative programs are not to be evaluated based on data for the 2019-20 school year to the extent those performance and growth measures of students in alternative schools and alternative programs are measured based on the performance accountability system developed under GS 115C-83.15 and GS 115C-105.35.

Directs that the requirements for local school administrative units to produce and make public a school building report under GS 115C-12(9)c3. and GS 115C-47(35) do not apply for the October 15, 2020, report based on building level data from the 2019-20 school year.

Sets forth parameters regarding low-performing schools, continually low-performing schools, and low-performing local school administrative units for the 2020-21 school year. Prohibits the State Board from identifying additional low-performing schools, continually low-performing schools, and low-performing local school administrative units based on data from the 2019-20 school year and requires those previously identified based on data from the 2018-19 school year to continue to be identified as low-performing or continually low-performing and continue to carry out the final plan approved by the local board of education. Requires the State Board and local board of education to continue to provide access to each low-performing school and low-performing local school administrative unit's plan. Specifies that local boards of education must include with their online final plans a brief explanation that low-performing identification continues pending assessment data from the 2020-21 school year for both low-performing schools and low-performing local school administrative units, though written parental notice is not required to be provided again. Additionally, suspends the authority of the State Board to appoint an interim superintendent in an identified local school administrative unit under GS 115C-105.39(c) through (e). For continually low-performing schools, requires assistance and intervention levels provided for the 2019-20 school year based on designation as low-performing for two or three years to continue and allows local boards of education to request to reform a continually low-performing school pursuant to GS 115C-105.37B.

Prohibits the State Board from identifying any additional schools as qualifying schools for the Innovative School District (ISD) based on data from the 2019-20 school year for the 2020-21 school year. Additionally, directs that schools identified as qualifying schools for the 2019-20 school year based on data from the 2018-19 school year must remain on the qualifying list, and the provisions of GS 115C-75.7(b1) (concerning support by the State Board and consultants), (b2) (concerning support by

local boards), and (d) (concerning public notification of identified schools on the ISD website) remain applicable. Makes conforming changes to SL 2018-248 concerning the identification of an innovative school for the 2021-22 school year.

Sets forth parameters for grade level determination for the 2020-21 school year. Grants principals the authority to determine the appropriate 2020-21 school year grade level for students in the third grade during the 2019-20 school year in the same manner as for students in all other grade levels. Requires principals to designate whether a retained third grade student is retained due to reading deficiencies and encourages principals to consult with a student's 2019-20 third grade teacher. Additionally, authorizes charter schools to determine the appropriate 2020-21 school year grade level for third grade students in the same manner that grade level classification is determined for other grade levels.

Requires parental (or guardian) notice that a first, second, or third grade student demonstrated difficulty with reading development or was not reading at grade level during the 2019-20 school year based on assessments completed on or before March 13, 2020. Requires the notice to be consistent with the requirements of GS 115C-83.9(a) and (d), which require the notification to be written and requires teachers and principals to offer opportunities to discuss the notification. Directs that the monthly written reports for parents and guardians on student progress required by GS 115C-83.9(c) do not apply during the school closure period, as defined and beginning March 16, 2020, for third-grade students retained for the 2019-20 school year based on data from the 2018-19 school year. Directs that the successful reading development strategies and requirements of GS 115C-83.8(b) through (e) and GS 115C-83.9 apply for third-grade students retained for the 2020-21 school year due to reading deficiencies in the same manner they would have had the student been retained pursuant to GS 115C-83.7(a), except that the notification regarding the exemptions in GS 115C-83.7(a) do not apply.

States that local school administrative units are not required to provide reading camps corresponding to the 2019-20 school year.

Requires public school units to administer to all fourth grade students the end-of-year diagnostic assessment otherwise required for third grade students under GS 115C-174.11 and State Board policy no later than the tenth day that school buildings are open to students for the 2020-21 school year. Mandates that the assessment results be used to identify reading deficiencies and inform instruction and remediation needs in order to ensure that all students achieve proficiency at the earliest date possible.

Sets forth parameters for the 2020-21 school year reporting requirements. Establishes that reading proficiency accountability reporting described in GS 115C-83.10 is not required based on the 2019-20 school year. Instead, requires local boards to report to the State Board specified information by September 1, 2020, including the number and percentage of students on track and not on track to meet year-end expectations based on assessments completed on or after March 13, 2020, at each of the first, second, and third grade levels, and the number and percentage of third grade students retained pursuant to principal authority set forth in the act. Additionally, establishes that reading proficiency reporting requirements established in GS 115C-218.85(b) (4) are not required based on data from the 2019-20 school year. Instead, requires charter schools and other public school units subject to charter school statutory requirements to report specified information to the State Board by September 1, 2020, including the number and percentage of third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020, and the number and percentage of third grade students retained pursuant to charter school authority set forth in the act. Requires the State Board to compile the information required to be reported under these provisions and submit a State-level summary of each component by local school administrative unit and charter school to the specified NCGA committee by October 15, 2020.

Establishes that the provisions of GS 115C-81.36(a1) and (b) concerning advanced math placement for grades three through five and six and higher do not apply for the 2020-21 school year based on the data for the 2019-20 school year. Provides that 2020-21 math placement may be determined based on local board policy in consultation with the student's 2019-20 school year math teacher. For purposes of reporting on eligibility and placement in advanced math pursuant to GS 115C-81.36(c), requires DPI to submit its December 15, 2020, report to the specified NCGA committee on the number of students who were enrolled in advanced math courses or given other advanced learning opportunities for the 2020-21 school year. Requires the report to include information on the type and format of advanced math courses or advanced learning opportunities provided and include any feedback provided by local boards of education on the implementation of GS 115C-81.36.

Allows for any student in grade 12 who has not satisfied the requirement for completion of CPR instruction to be eligible for graduation if CPR instruction cannot be completed due to the COVID-19 emergency, as defined by the act, and the student is eligible to graduate in all other respects as determined by the student's principal.

Mandates all public school units to provide remote instruction for the remainder of the 2019-20 school year and provides that a public school unit that provides remote instruction is deemed to have satisfied the instructional time requirements under specified state law for the 2019-20 school year. Defines *remote instruction*.

Waives attendance enforcement requirements under GS 115C-378 for the 2019-20 school year during the school closure period, as defined.

Directs the governing body of each public school unit to develop a Remote Instruction Plan (Plan) for the 2020-21 school year and submit its Plan to the State Board by June 30, 2020. Details 13 specifications Plans must address, including (1) training for teachers and staff, (2) surveying student and teacher home connectivity and providing for remote instruction appropriate for those with limited connectivity capability, (3) teaching and practice opportunities for students on accessing and using remote instruction platforms and methods, (4) communicating learning targets to students on each remote instruction day with lesson design to demonstrate learning, (5) tracking and reporting attendance on remote instruction days, (6) providing online and offline contact options for student-teacher or staff communication, and (7) providing technology support for students.

Provides that the calendar requirements of GS 115C-84.2 apply to the 2020-21 school calendar for local school administrative units. Establishes that the provisions of the act supersede any school calendar adopted by a public school unit prior to the act's enactment. Sets forth parameters applicable to the 2020-21 school year for public school units as follows. Mandates that each public school unit adopt a calendar that includes 190 days of instruction with 185 days or 1,025 hours of instruction, five individually separate and distinct full instructional days, and five remote instruction days in accordance with the Plan. Requires adoption of a school calendar that includes an opening date for students of August 17, 2020, a closing date for students no later than June 11, 2020, and no remote instruction days prior to August 24, 2020. Allows for remote instruction days to be scheduled for use as teacher workdays. Provides for waiver of the opening date requirement for good cause so long as the opening date is not before August 17, 2020, and allows use of an additional five remote instruction days as make-up days for closure due to inclement weather or other emergency situations. Allows for additional remote instruction days, provided in accordance with the Plan, to satisfy instructional time requirements if a state of emergency or disaster is declared under GS Chapter 166A ordering school closure for more than five days.

Requires the State Board to report to the specified NCGA committee by September 15, 2020, on the implementation of Remote Instruction Plans. Requires the report to include copies of each Plan submitted and a statewide summary with five specified components and any other data deemed by the State Board to be useful to the committee in evaluating the delivery of statewide remote instruction.

Provides that a school identified as an eligible school in the 2019-20 school year for the principal supplement program under GS 115C-285.1, as enacted by SL 2019-247, continues to be an eligible school in the 2020-21 school year. Makes a technical correction to GS 115C-285.1.

Directs that principals are not required to notify teachers that Education Value-Added Assessment System (EVAAS) data has been updated for the 2020-21 school year to reflect teacher performance from the 2019-20 school year.

Provides that for the 2020-21 school year, local school administrative units are not required to provide teacher effectiveness data from the 2019-20 school year to the State Board, and the State Board is not required to include any disaggregated data on teacher effectiveness from the 2019-20 school year in its December 15, 2020, teaching profession report.

Amends GS 115C-299.5(d) to add a subsection heading.

Provides that for the 2019-20 school year, annual teacher evaluations required pursuant to GS 115C-333(a) and GS 115C-333.1, concerning teacher evaluation and observation, must be based on observations completed in the 2019-20 school year prior to the closure period, as defined, and other artifacts and evidence from the 2019-20 school year. Waives the observation requirement for the 2019-20 school year for those not completed prior to the school closure period.

Establishes that nonpublic schools are not required to administer nationally recognized tests or standardized equivalent measurements for the 2019-20 school year nor make, maintain, or make available test results received by their students in the 2019-20 school year.

Establishes that nonpublic schools are not required to make, maintain, and render attendance records of children of compulsory school age during the school closure period, nor operate on a regular schedule at least nine months of the 2019-20 school year.

Waives several testing and reporting requirements mandated in GS 115C-562.5 for nonpublic schools that accept eligible students receiving opportunity scholarship grants for the 2019-20 school year, including required administration of nationally standardized tests to eligible students whose tuition and fees are paid in whole or in part with a scholarship grant in grades three and higher, and the reporting of standardized test performance of eligible students if the nonpublic school enrolls more than 25 students whose tuition and fees are paid in whole or in part with a scholarship grant.

Authorizes the State Education Assistance Authority (Authority) to remit an opportunity scholarship grant awarded to a student for the spring semester of the 2019-20 school year that was unexpended and carried forward due to school closure during the COVID-19 emergency to a nonpublic school on or before October 1, 2020.

Extends the annual reporting deadlines of the Authority regarding opportunity scholarships and disability grants to now require the Authority to report to the specified NCGA committees by November 15, 2020, rather than October 1, 2020.

Sets forth parameters for minimum admission to a recognized Educator Preparation Program (EPP) for the 2020-21 academic year, including waiving certain skills tests, minimum SAT/ACT scores, degree requirements, GPA requirements, and minimum cohort GPA requirements described in GS 115C-269.15.

Sets forth parameters for students enrolled in a recognized EPP to have the clinical internship requirement deemed completed if four specified conditions are met, including that the student has completed as much time in the clinical internship as practicable prior to March 10, 2020, and that the student would be unable to complete the EPP by August 15, 2020, unless the clinical internship is deemed completed pursuant to the provision.

With regards to individuals who have their clinical internship deemed completed pursuant to the act's provisions, prohibits the State Board from requiring EPPs to require the individuals for the 2019-20 academic year to complete a nationally normed and valid pedagogy assessment to determine clinical practice performance, and from requiring the individuals for the 2019-20 academic year to complete the pedagogy assessment as a condition of EPP completion. Requires the individuals to attempt the pedagogy assessment by the end of their first year of licensure and pass the assessment by the end of their third year of licensure.

Specifies that EPPs are only required to submit information that is practically available in the annual report to the school board under GS 115C-269.35(b) for the 2019-20 school year.

Prohibits the State Board from considering any data that was not practically available related to the 2019-20 school year when assigning sanctions for an EPP under GS 115C-269.45(c).

Requires the State Board to create and submit annual report cards for EPPs pursuant to GS 115C-269.50 by December 15, 2020, to the specified NCGA committee, and include in its report aggregated information on the number and overall percentage of students who were admitted to an EPP with the waived minimum GPA requirement and the number and overall percentage of students who had their clinical internships deemed completed under the provisions of the act. Prohibits making the annual report cards available to the public on the State Board's website for the 2019-20 school year.

Sets forth parameters for school administrator candidates who are enrolled in a school administrator program to have certain requirements of GS 115C-284(c2) deemed completed for the 2019-20 academic year if the candidates meet the approval standards established by the State Board under GS 115C-284. Provides that the internship requirement is deemed to be completed if four conditions are met, including that the candidate has completed as much time in the year-long internship as practicable prior to March 10, 2020, and that the candidate would be unable to complete the program by August 15, 2020, unless the internship is deemed completed pursuant to the provision. Requires the candidates to complete a portfolio for emerging leaders to demonstrate the application of his or her training to actual school needs and training to the extent practicable prior to completion of the preparation program.

Sets forth parameters for a school leader candidate enrolled in a school leader preparation program receiving a grant to have the clinical practice requirement deemed completed for the 2019-20 academic year if the candidate has completed as much time in the clinical practice as practicable prior to March 10, 2020, and the candidate has engaged in school leader duties as practicable while the school is closed during the school closure period. Prohibits the Authority from retrieving grant funds from a recipient for the 2019-20 school year based solely on a recipient's failure to require school leader candidates to complete a full-time paid clinical practice as specified in GS 116-209.72(a)(2)e. for the 2019-20 academic year.

Requires the State Board to allow education licensure applicants additional time to meet the examination and course requirements under GS 115C-270.15 and GS 115C-270.20, consistent with four specified parameters. Allows an individual who is in the first year of licensure who has not taken the examination required by the State Board to take the examination during the individual's second year of licensure. Allows an applicant for a continuing professional license (CPL) whose lateral entry license expires June 30, 2020, including a teacher granted an extension pursuant to Section 1.2 of SL 2019-71, as amended, who has not met the examination and coursework requirements established by the State Board as of March 10, 2020, to be provided an extension until June 30, 2021. Allows an applicant for a CPL whose initial professional license (IPL) expires June 30, 2020, who has not met the examination requirement established by the State Board as of March 10, 2020, to be provided an extension until June 30, 2021. Allows an applicant for a CPL who is an elementary education or special education general curriculum teacher with an IPL or a residency license who was granted an extension until June 30, 2020, under SL 2019-71, as amended, who has not met the examination requirement established by the State Board as of March 10, 2020, to be provided an extension until June 30, 2021.

Additionally, allows any teacher required to have at least eight continuing education credits for continuing licensure by June 30, 2020, until June 30, 2021, to meet the requirements under GS 115C-270.30(b).

Directs the State Board to allow applicants applying for a school administrator licensure who have not met the examination requirements established by the State Board as of March 10, 2020, to be permitted to meet the examination requirement in the first year of licensure, and applicants applying for licensure for a professional position in a public elementary or secondary school who have not met the examination requirements established by the State Board as of March 10, 2020, to be permitted to meet the examination requirements in the first year of licensure.

Additionally, allows any school administrator who is required to meet continuing education credits in high quality, integrated digital teaching and learning for licensure renewal by June 30, 2020, to have until June 30, 2021, to meet the requirements under GS 115C-284(c3).

Provides that a student who is unable to continue participation in a pre-apprenticeship or apprenticeship program due to the COVID-19 emergency may continue to be eligible for a tuition waiver for community college courses in the student's document study plan related to a job-specific occupational or technical skill until December 31, 2020.

Prohibits UNC constituent institutions from accruing or charging interest to any past-due student account between March 13, 2020, and September 15, 2020.

Extends three specified reporting deadlines of the UNC Board of Governors (BOG) to the specified NCGA committee by 60 days, including reporting on teacher education efforts, the supply and demand of school administrators, and the goals for State-operated health professional schools.

Additionally, extends the deadline by which the BOG must submit its annual report on the UNC-NCCCS 2+2 E-Learning Initiative to the specified NCGA committee and state entities from April 15 to June 15, 2020.

Extends the deadline by which the UNC System Office must submit its annual report on the UNC-NCCCS Joint Initiative for Teacher Education and Recruitment to the specified NCGA committee and state entities from April 15 to June 15, 2020.

Requires the \$70 million appropriated to DPI in Part III of the act is to be allotted to local school administrative units, charter schools, and the ISD to provide a supplemental summer learning program for students whose learning has been negatively affected by the impacts of COVID-19. Details requirements and restrictions for the supplemental summer learning programs, including that the programs include reading interventions for students in kindergarten through grade three, and grade four, who were not on track to meet the 2019-20 year-end expectations based on diagnostic assessments completed prior to March 16, 2020, or for fourth graders, as identified by their 2019-20 school year reading teachers, and math interventions for students who were in kindergarten through grade four who were not on track to meet the 2019-20 year-end expectation as identified by their 2019-20 school year math teachers. Requires at least \$35 million to be used to provide reading interventions for student who were in grades two and three during the 2019-20 school year, with any unexpended funds to be used by December 30, 2020, to provide supplemental literacy support for fourth grade students during the 2020-21 school year who were not on track. Requires any unexpended funds for reading intervention for students in kindergarten, first grade, and fourth grade during the 2019-20 school year and math intervention for students in kindergarten through fourth grade to be used prior to December 1, 2020, to provide supplemental literacy or math support to students in grades one through five during the 2020-21 school year who are not on track to meet the 2020-21 year-end expectations as identified by their respective 2020-21 school year reading

or math teachers. Allows funds provided for summer learning programs to be used to deliver interventions and instruction to participating students using methods such as digital resources, printed materials, literacy coaches, and face-to-face instruction.

Requires the governing body of a public school unit receiving funds to consult with the 2019-20 school teachers of kindergarten through fourth grade to develop the learning program plans. Requires plans to comply with executive orders and DHHS guidance. Requires all local school administrative units and the ISD to submit their summer learning program plans to DPI by May 31, 2020. Requires DPI to review the plans and provide feedback as necessary by June 26, 2020.

Specifies that summer learning programs are not to be included in scheduled instructional time for the 2020-21 school year calendar. Encourages public schools receiving funds to identify or prepare resources and strategies for parents or guardians for students that qualify and do not attend or attend and would like additional material. Places the final decision for attendance with the parents or guardians of qualified students.

Directs the State Board to report to the specified NCGA committee on the implementation and use of State funds for summer learning programs by February 15, 2021.

Part VI.

Section 6.1

Defines *coronavirus* as it is defined in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020. Defines *coronavirus emergency* as March 10, 2020, through the date the Governor signs an executive order rescinding Executive Order No. 116. Defines State agency as an agency or an officer in the executive branch of the government of this state, including the Council of State, the Governor's Office, a board, a commission, a department, a division, a council, and any other unit of government in the executive branch (it excludes the North Carolina Department of Justice, the State Board of Education, and the State Board of Elections). Requires each State agency to review its rules, policies, procedures, enforcement actions, and any other type of agency requirement or action that affects the economic well-being of the citizens and businesses of the state and determine if, due to the impacts of the coronavirus, a waiver, delay, or modification of the agency's requirements or actions would be in the public interest. If it determines that it is in the public interest, requires that agency to adopt emergency rules or take other necessary actions to implement these waivers, delays, and modifications as expeditiously as possible. Provides that if a State agency determines that, due to the impacts of the coronavirus, it is in the public interest, the agency must: (1) delay the collection of, or modify the method of collection of, any fees, fines, or late payments assessed by the agency; (2) delay the renewal dates of permits, licenses, and other similar certifications, registrations, and authorizations; and (3) delay or modify any educational or examination requirements. Requires agencies to report by October 1, 2020, to the specified NCGA committees and commissions and OSBM on its efforts to exercise such regulatory flexibility or an explanation as why it did not do so. Allows agencies to adopt emergency rules to implement this section. Such an emergency rule remains in effect during the pendency of the coronavirus emergency, unless an earlier date is specified by the agency. Effective March 10, 2020, and expires on the earlier of the date the Governor signs an executive order rescinding Executive Order No. 116, or September 1, 2020.

Section 6.2

Requires the Division of Motor Vehicles (DMV) to extend by six months the validity of any credential that expires on or after March 1, 2020, and before August 1, 2020. Defines credential as one of the 19 listed items, including numerous types of drivers licenses, special identification cards, and various types of vehicle plates. The new expiration date is six months from the date the credential otherwise expires. Requires, however, that the subsequent expiration of an extended credential occur on the date prescribed by law prior to this section without regard to the extension. Requires DMV to notify affected individuals of the extension. Requires the waiver of fines, fees, and penalties associated with failing to renew a credential during the period of time the credential is valid by extension. Extends the due dates for motor vehicle taxes that are tied to registration expiration so as to correspond with extended expiration dates. Prohibits convicting a person or finding a person responsible for any offense resulting from failure to renew a credential issued by the DMV if the person shows that the offense occurred during the period of time the credential is valid by extension. Requires DMV to report within 30 days of the extensions to the specified NCGA committee and division on implementation. Effective retroactively to March 1, 2020, and applies to expirations on or after that date.

Section 6.2A

Prohibits the NC Medical Board and the NC Board of Nursing from enforcing any provision of the Quality Improvement Plan Rules, as defined, to the extent that they (1) require quality improvement process meetings between providers, so long as the provider was practicing within the scope of his or her license prior to February 1, 2020, and continues to practice within that scope while the provisions are effective and (2) require monthly quality improvement process meetings between providers during the first six months of the practice arrangement. Additionally, prohibits the NC Medical Board and the NC Board of Nursing from enforcing any provision of the Quality Improvement Rules or the Application Fee Rules, as defined, to the extent they require an individual to fill out an application or pay a fee, so long as the individual is providing volunteer healthcare services within the scope of his or her license in response to the COVID-19 pandemic state of emergency. Finally, prohibits the NC Medical Board and the NC Board of Nursing from enforcing any provision of the Annual Review Rules for practice arrangements, as defined. These provisions expire 60 days after all of the following are rescinded or expired: (1) Executive Order No. 116; (2) the major disaster declaration by the President for this state on March 25, 2020; and (3) a declared nationwide public health emergency as a result of the 2019 novel coronavirus declared by the Secretary of Health and Human Services on January 31, 2020.

Section 6.3

Effective retroactively to March 10, 2020, for the period between March 10, 2020, and the date that Executive Order No. 116 is rescinded or expires, and subject to approval by the Board of Trustees, authorizes the State Treasurer to order that State Health Plan members, employing units, or both, adversely affected by this state of emergency have the option to defer premiums or debt payments that are due during this limited time. Allows the State Treasurer to order the expiration of this option prior to the end of the limited time period but it may not extend beyond that period. Sets a 30-day deferral period and specifies that the deferral period can include any state law or contract provision that imposes a time limit on the Plan or a member to perform related to the Plan on or after March 10, 2020, and through the date that Executive Order No. 116 is rescinded or expired. Allows the deferral period to be extended in 30-day increments, subject to Board of Trustees' approval, but prohibits a deferral period from lasting beyond 90 days from the last day of the state of disaster. Provides for the option to be limited to specific categories of members or employing units. Specifies that the section does not authorize the non-payment of premiums or debt and requires all payments in arrears to be paid. Failure to pay premiums in arrears results in lapse as of the last day of the month for which premiums were paid in full. Provides that members are responsible for all medical expenses incurred since an effective lapse in coverage.

Section 6.4

Authorizes the Division of Health Benefits (DHB) of DHHS to provide Medicaid coverage described in identified federal law, which covers COVID-19 testing for certain uninsured individuals during the period in which there is a declared nationwide public health emergency as a result of COVID-19, and for which the federal medical assistance percentage is 100%.

Section 6.4A

Provides that the Medicaid provider rate increases requested in (1) the 1135 Medicaid disaster State Plan amendment (SPA) submitted to the Centers for Medicare and Medicaid Services by DHHS on April 8, 2020, and (2) any additional provider rate increases requested in subsequent 1135 Medicaid disaster State Plan amendments are applicable only until the earlier of the expiration of the declared nationwide public health emergency as a result of the 2019 novel coronavirus or January 31, 2021.

Section 6.5

Allows the second examination of a respondent to determine whether the respondent will be involuntarily committed due to mental illness or due to substance use disorder to be conducted either in the physical face-to-face presence of a physician or using telehealth equipment and procedures, if the specified conditions are met. Defines *telehealth* as the use of two-way real-time interacting audio and video where the respondent and commitment examiner can hear and see each other. Sets the required conditions as the following. In the case of involuntary commitment due to mental illness, the physician using telehealth must be satisfied to a reasonable medical certainty that the necessary determinations would not be different if the exam had been done in the physical presence of the examining physician. Requires a physician not so satisfied to note that the exam was not satisfactorily accomplished, and requires the respondent to be taken for a face-to-face exam. In the case of involuntary commitment due to substance use disorder, requires the physician using telehealth to be satisfied to a reasonable medical certainty that the necessary determinations would not be different if the exam had been done in the physical presence of the commitment examiner. Requires an examining physician who is not so satisfied to note that the exam was not

satisfactorily accomplished, and requires the respondent to be taken for a face-to-face exam. Expires on the date the Governor rescinds Executive Order No. 116.

Section 6.6

Enacts new Article 1L, Emergency or Disaster Treatment Protection Act, in GS Chapter 90. Provides for the Article's short title and purpose, and sets forth nine defined terms. Grants civil immunity to any health care facility, health care provider, or entity that holds legal responsibility for the acts or omission of a health care provider for any harm or damages alleged to have been sustained as a result of an act or omission in the course of arranging for or providing health care services, as defined. Conditions the immunity granted on three conditions: (1) that the health care facility, health care provider, or entity is arranging for or providing health care services during the period of the COVID-19 emergency declaration, including, pursuant to a COVID-19 emergency rule (as defined); (2) the arrangement or provision of health care services is impacted by (a) a health care facility, health care provider, or entity's decisions or activities in response to or as a result of the pandemic; or (b) the decisions or activities, in response to or as a result of the pandemic, of a health care facility or entity where a health care provider provides health care services; and (3) the arrangement for or the provision of health care services is made in good faith. Limits the described immunity to exclude acts or omissions that constitute gross negligence, reckless misconduct, or intentional infliction of harm; specifies that acts or omissions resulting from a resource or staffing shortage are not willful, intentional, or the like. Provides for similar immunity provisions for volunteer organizations, as defined. Includes a severability clause. Applies retroactively to all acts or omissions during the time of Executive Order No. 116 issued on March 10, 2020, and any subsequent time period during which a state of emergency is declared to be in effect during the calendar year 2020 by the Governor in response to COVID-19.

Section 6.7

Directs the NC Lottery Commission to submit a report relating to COVID-19 and associated economic impacts to the specified NCGA committee and division on or before September 1, 2020. Details five required components of the report, including the impact of sales of lottery games, the impact of revenues, and the impact on retailers.

Section 6.8

Amends GS 159-33.1 to require the finance officer of each local government unit and public authority to submit to the secretary of the Local Government Commission (Commission) a statement of financial information, as specified, concerning the impact of COVID-19 by January 1, 2021. Requires the Commission to use the information to identify units and public authorities that require assistance similar to that provided on the Unit Assistance List compiled by the Commission. Expires on January 1, 2021. Directs the Commission to report to the specified NCGA committee and division by February 15, 2021, on the information provided and any recommendations. Expires on February 15, 2021.

Section 6.9

Specifies that any report required by law to be submitted to an NCGA joint legislative oversight committee after March 10, 2020, but before July 15, 2020, will be held in abeyance until July 15, 2020. Requires such reports to be submitted thereafter.

Section 6.10

Directs OSBM to release the \$700,000 allocation authorized in Section 26.2(c)(3) of SL 2017-57, which provides for the amount to be allocated to the NC Symphony upon certain non-State fund fundraising requirements having been met.

Section 6.11

Amends Section 1.1 of SL 2019-192 to increase the schedule of appropriations from federal block grant funds made for the 2019-20 fiscal year for child care and development, from \$347,525,572 to \$395,525,572.

Section 6.12

Enacts new GS 10B-25 to allow a notary to perform an emergency video notarization using video conference technology if the requirements of the statute are met (new GS 10B-25 does not apply to any notarization under Article 20 of GS Chapter 163, addressing absentee ballots). Specifies that a notary not satisfied that the principal's identify has been proven by satisfactory evidence is not required to complete an emergency video notarization. Provides that an emergency video notarization does not change any originality verification requirements for recording with a Register of Deeds, Clerk of Superior Court, or other government or private office in this State.

Specifies that video conference technology is electronic communication that: (1) occurs in real time; (2) allows direct interaction between the principal seeking the notary's services and the notary so that each can communicate simultaneously by sight and sound through an electronic device or process; (3) includes audio with sound clear enough that each participant in the notarial act can hear and understand all other participants; (4) has sufficient quality to allow a clear and unobstructed visual observation of each participant's face and any identification provided by the principal for a sufficient time to allow the notary to determine if it is satisfactory evidence; (5) is not pre-recorded video or audio or both; and (6) may be capable of recording (a) the video conference technology's recording and storage services, (b) an independent video recording device, or (c) electronically saved screen shots clearly showing each participant's face, identification presented by the principal, and the notarized document.

Provides that the requirement of personal appearance, appear in person before a notary, physical presence, and presence are satisfied for emergency video notarization purposes if (1) notary is physically present in North Carolina, (2) the principal verifies to the notary that he or she is physically present in the state at the time of the notarization, (3) the notary identifies the county where he or she is located at the time of the notarial act, and (4) the principal and notary use video conference technology that complies with the requirements in this statute.

Allows a notary with personal knowledge of a principal to rely on the video conference technology to verify the principal's identity unless the notary requires satisfactory evidence. Requires a notary who does not have personal knowledge of a principal to require satisfactory evidence of the principal's identity; sets out requirements for documents that are used as satisfactory evidence.

Sets out the process for signing the document to be notarized. Sets out the procedure for submitting the signed document to the notary and for the notary notarizing the document, with procedures varying according to whether or not an original wet-signed notarization on an original wet-signed document is required.

Requires that a notary administer an oath or affirmation using video conference technology. Sets out the items that must be included in an acknowledgement or jurat certificate for an emergency video notarization, including a specified statement.

Requires a notary performing an emergency video notarization to record information about the notarization in a notary journal that is to be retained by the notary for at least 10 years; allows the journal to be maintained electronically. Specifies nine pieces of information that, at a minimum, must be recorded in the journal for each emergency video notarization. Allows a third party involved in an emergency video notarization transaction to require additional information to be included in the journal.

Requires a notary to maintain the confidentiality of a principal's documents at all times. Allows for the issuance of interpretive guidance or emergency or temporary rules to assure the integrity of the emergency video notarization measures.

Sets the statute to expire at 12:01 a.m. on August 1, 2020; however, specifies that all notarial acts made in accordance with the statute and while the statute is in effect remain effective and do not need to be reaffirmed.

Makes a conforming change to GS 10B-3 by adding and defining the term *emergency video notarization*. Specifies that emergency video notarization must not include a verification of proof.

Amends GS 10B-10 to provide that if the North Carolina Secretary of State grants a notary commission after March 9, 2020, and before October 1, 2020, the appointee has 90 days (instead of the usual 45 days) to appear and take the oath of office. Allows the oath to be administered using video conference technology, as specified. Makes conforming changes.

Section 6.13

Enacts new Article 3, Video Witnessing During State of Emergency, in GS Chapter 10B, applicable to the witnessing and signature of all records signed on or after the effective date of this act; sets the Article to expire upon termination of the State of Emergency declared in Executive Order No. 116, on March 10, 2020, as extended by any subsequent executive order. Specifies that no action described in the Article (1) constitutes a notarial act and (2) is governed by Article 1 (Notary Public Act) or Article 2 (Electronic Notary Act).

Provides that any person who witnesses the signature of a record through videoconference technology is considered to be an "in-person" witness and the record is considered to have been signed by the principal signer "in the presence of" such witness, provided that the video conference technology allows for direct, real-time audio and video interaction between each principal signer and the witness. Considers an attesting witness to a record to have signed the record in the presence of the principal signer, if: (1) the signature of the principal signer is witnessed by the attesting witness in accordance with the requirements the

statute and (2) the attesting witness immediately thereafter signs the record while the video conference technology still allows for direct, real-time audio and video interaction between the principal signer and the attesting witness. Sets out information that must be included in a record witnessed under the statute. Allows any record witnessed under this Article to be signed in counterpart.

Section 6.14

Enacts new GS 32A-16.1 to waive the requirement that a health care power of attorney be executed in the presence of two qualified witnesses for all instruments executed on or after the effective date of this section and prior to termination of the State of Emergency declared by Governor Cooper in Executive Order No. 116, on March 10, 2020, as may be extended by any subsequent Executive Order, such that an instrument signed by the principal, properly acknowledged before a notary public, and otherwise executed in compliance with the provisions of this Article, governing health care powers of attorney, are not invalidated by the principal's failure to execute the health care power of attorney in the presence of two qualified witnesses. Requires health care powers of attorney executed during this time without two qualified witnesses to contain a statement indicating that the instrument was executed in accordance with this statute. Expires at 12:01 a.m. on August 1, 2020, but all instruments made in accordance with the statute and while the statute is in effect remain effective and do not need to be reaffirmed.

Makes conforming changes to GS 32A-16.

Enacts GS 90-321.1 enacting the same waiver of the witness requirement as above, applicable to advance directives for a natural death declaration. Sets this statute to expire at 12:01 a.m. on August 1, 2020.

Makes conforming changes to G.S. 90-321.

Section 6.15

Enacts new GS 45A-4.1 allowing real estate transactions involving one-to-four family residential dwellings or a lot restricted to residential use, a settlement agent to disburse closing funds before recording the deeds, deeds of trust, and any other required loan documents with the register of deeds.

Sets out the following requirements to be met in order to allow the disbursement of closing funds before recordation: (1) on the date of closing, the office of the register of deeds where the deeds, deeds of trust, and any other required loan documents are to be recorded, is located within the emergency area, closed to the public as a result of the declaration of emergency, and unable to accept documents for recording by any method; (2) the lender's closing instructions authorize disbursement of closing funds prior to recording; (3) all parties agree in writing to all the following: (a) to waive the requirement that the settlement agent not disburse closing funds until the deeds, deeds of trust, and any other required loan documents are recorded in the office of the register of deeds and the required closing funds be disbursed only upon collected funds excepted as provided; (b) that they acknowledge that the recordation date may not be known on the date of closing and the date of recordation by the settlement agent is governed by this statute; (c) that they are aware of the risks and implications of proceeding with disbursement of closing funds and, if applicable, transfer of possession of property prior to recordation; (d) that after disbursement of closing funds and prior to recordation no party to the transaction will take any action to impair the quality of the title in law or equity; and (e) any other terms the parties or the closing instructions require as a condition of disbursement of closing funds prior to recording; and (4) the settlement agent complies with all conditions of the closing instructions, procures a commitment of title insurance providing for title insurance that includes indemnity coverage for the gap period, and updates the applicable title from the date of the preliminary title opinion to the time of disbursement using those public records reasonably available to the settlement agent on the date of disbursement.

Requires in all transactions under this statute in which funds are disbursed prior to recordation, the settlement agent must hold in a fiduciary capacity until the time provided below, all deeds, deeds of trust, and any other required loan documents that are to be recorded.

Terminates the authority under this statute for the settlement agent to disburse closing proceeds prior to recordation of the deeds, deeds of trust, and any other required loan documents on the earlier of the date the office of the register of deeds reopens for public business or begins to accept documents for electronic recording. Requires within three business days of this time frame, that the settlement agent record all deeds, deeds of trust, and any other required loan documents being held under the statute and immediately notify all parties that the documents have been recorded.

Section 6.16

Amends GS 51-8 to allow a register of deeds, throughout the duration of any declaration of emergency, to issue a license for marriage through remote audio-video communication if the register of deeds can positively identify each applicant.

Amends GS 51-16 by extending the validity of a marriage license from 60 to 120 days.

Applies to marriage licenses issued on or after March 10, 2020, and expires August 1, 2020, and makes any marriage license issued on or before that date valid for 120 days.

Section 6.17

Specifies that the Secretary of Revenue (Secretary) will not assess a penalty for failure to file a tax return or pay a tax due if returned or paid by July 15, 2020, as the Secretary has extended the franchise, corporate, and individual income tax payment deadline to July 15, 2020, as a result of the COVID-19 outbreak. Directs the Secretary to also waive the accrual of interest from April 15, 2020, to July 15, 2020, on an underpayment of tax, including partnership and estate and trust tax returns, due during that period. Clarifies that the relief from interest accrual during the stated period also applies to interest imposed under GS 105-163.15 (concerning installments and interest for unpaid individual income tax) and GS 105-163.41 (concerning installments and interest for unpaid corporate income tax).

Extends the statute of limitations for obtaining a refund for franchise, corporate, and individual income tax to July 15, 2020, for refund claims for which the statute of limitations to seek a refund expires on or after April 15, 2020, and before July 15, 2020.

Makes certain actions that are required to be taken by a taxpayer on or after April 1, 2020, and before July 15, 2020, considered timely if taken on or before July 15, 2020. Actions include requests for the Department of Revenue to review a proposed denial of a refund or a proposed assessment under GS 105-241.11, petitions for a contested case hearing on a final determination at the Office of Administrative Hearings under Article 3 of GS Chapter 150B and GS 105-241.15, and petitions for judicial review of a decision after a contested case hearing under Article 4 of GS Chapter 150B and GS 105-241.16.

Section 6.18

Enacts GS 96-14.15, making unemployment benefits payable in four specified circumstances in response to the coronavirus emergency. Defines *coronavirus* by referencing the term's definition stated in the federal Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020. Payable circumstances under the act include: (1) when an employer temporarily ceases operations due to the coronavirus thereby preventing the individual from going to work; (2) when an employer reduces the hours of employment due to the coronavirus; (3) when an individual has a current coronavirus diagnosis; or (4) when an individual is quarantined at the instruction of a health care provider or a local, state, or federal official. Makes the Chapter's employment security provisions applicable to the new coronavirus emergency unemployment benefits, with five exceptions, including: (1) no waiting week applies; (2) work search requirements do not apply; (3) benefits paid are not charged to the account of any base period employer of the individual; and (4) employers may file an attached claim for benefits, as specified. Provides for an employer tax credit for contributions to the Unemployment Insurance Fund for contributions due for the calendar year 2020, equal to the amount of contributions payable on the report due on or before April 30, 2020. Provides for instances in which employers have remitted the contributions payable on the report due on or before April 30, 2020. Limits the scope of the act to include only unemployment benefits filed for periods beginning on or after March 10, 2020, through those filed for periods beginning on or after the earlier of either the date the Governor signs an Executive Order rescinding Executive Order 116 (Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of Covid-19), or December 31, 2020.

Section 6.19

Allows for individuals to meet the reporting requirements of GS 96-14.9 (weekly certification) by phone or Internet for the period defined by new GS 96-14.15.

Section 6.20

Amends GS 96-14.9, concerning the requirement for an individual seeking unemployment benefits to be actively seeking work. Current law requires the individual to have made at least three job contacts with potential employers during the week, among other criteria. Allows an individual to satisfy one of the weekly job contacts by attending a reemployment activity

offered by a local career center. Requires the Division of Employment Security to verify the suitability of the activity for credit and the claimant's attendance at the activity. Effective July 1, 2020.

Amends GS 96-15 to authorize employers to file unemployment claims for employees if unemployment is due directly to a disaster covered by a federal disaster declaration.

Amends GS 105-356 to clarify that priority liens for State taxes on real property under the Revenue Act include a lien for unpaid employer contributions under GS 96-10.

Section 6.21

Repeals GS 120-70.158, which sunsets Article 12R, establishing the Joint Legislative Oversight Committee on Unemployment Insurance, on July 1, 2023.

Section 6.22

Effective August 1, 2020, through December 1, 2020, sets the weekly benefit amount for an individual who is totally unemployed at an amount equal to the wages paid to the individual in the highest paid completed quarter of the individual's base period divided by 52, rounded up to the next lower whole dollar.

Section 6.23

Amends GS 96-14.2, effective August 1, 2020, to increase the weekly benefit cap for unemployment at \$400 from \$350.

Section 6.24

Enacts GS 166A-19.24 to authorize any public body to conduct remote meetings upon a gubernatorial or legislative declaration of emergency under GS 166A-19.20. Limits the authority to public bodies within the emergency area during the declaration and requires compliance with Article 33 of GS Chapter 143, which governs meetings of public bodies.

Details nine requirements remote meetings must meet, including (1) proper notice of the remote meeting and notice of the means of public access; (2) identification of members participating by simultaneous communication for roll call, participation in deliberation, and voting; (3) roll call voting for every vote taken; and (4) simultaneous streaming live online or by conference call with option for public access.

Defines *simultaneous communication* as any communication by conference telephone, conference video, or other electronic means. Specifies that a member participating by simultaneous communication is present for quorum purposes and voting as if physically present while that communication is maintained for that member.

Allows for a public body to conduct public hearings during a remote meeting and take action thereon so long as written comments are allowed to be submitted between publication of any required notice and 24 hours after the public hearing. Allows for a public body to conduct a quasi-judicial proceeding as a remote meeting if (1) the right of an individual to a hearing and decision occurred during an emergency, (2) all persons subject to the proceeding who have standing to participate have been given notice and consent, and (3) all due process rights of the parties affected are protected.

Allows the public body to conduct closed sessions as authorized by state law.

Clarifies that the statute applies only during emergency declarations and does not supersede any authority for electronic meetings under Article 33C of GS Chapter 143. Makes conforming changes to GS 143-318.10(a), GS 143-318.14A(e), GS 153A-43, GS 160A-74, and GS 160A-75. Amends GS 166A-318.13 to exclude meetings conducted under new GS 166A-19.24 from electronic meetings requirements, except for compliance with subsection (c) prohibiting actions by reference.

Applies throughout the duration of any emergency declaration issued under GS 166A-19.20 in effect on or after the date the act becomes law. Provides a savings clause for the actions of any public body in an open meeting conducted by simultaneous communication between March 10, 2020, and the date the act becomes law. Specifies that new GS 166A-19.24 does not affect SL 2008-111, which amends GS 143-318.13 to authorize electronic meetings.

Section 6.25

Directs OSBM to establish a temporary NC Pandemic Recovery Office (Office), charged with oversight and coordination of funds made available under COVID-19 Recovery Legislation. Additionally requires the Office to provide technical assistance

and ensure coordination of federal funds received by State agencies and local governments, and ensure proper reporting and accounting. Terminates the Office and the authorities granted in the act 12 months after the date the act becomes law.

Section 6.26

Details five requirements DHHS must meet in order for OSBM to release the \$25 million allocated in the act for expanding public and private initiatives for COVID-19 testing, contract tracing, and trends tracking and analysis. Conditional requirements include DHHS required diagnostic service reporting and posting on the COVID-19 NC Dashboard; DHHS posting testing vendor contract information on its website, including cost per test; DHHS collecting and reporting on its website recovery rates; DHHS reporting COVID-19 related hospital discharges and associated underlying health conditions; and DHHS providing comprehensive reporting on COVID-19 deaths. Requires DHHS and any public or private entity receiving the allocated funds to report on the use of funds to the specified NCGA committees within six months after receipt of funds.

Section 6.27

Enacts Article 48 to GS Chapter 66 to provide civil immunity to an essential business that provides goods or services in the state for any injuries or death alleged to have been caused as a result of a customer or employee contracting COVID-19 while doing business with or while being employed by the essential business; excludes acts or omissions constituting gross negligence, reckless misconduct, or intentional infliction of harm. Sets out defined terms. Defines an *essential business* as businesses, not-for-profit organizations, education institutions, or governmental entities identified in the COVID-19 Essential Business Executive Order (defined as Executive Order No. 121, issued March 27, 2020, including amendments and extensions). Provides that the term also applies to any business that the Department of Revenue determines to be essential. Specifies that an employee is not precluded from seeking workers' compensation remedies under GS Chapter 97. Limits the scope of the act to acts or omissions occurring on or after the issuance of the COVID-19 essential business executive order until the COVID-19 emergency declaration (defined as Executive Order No. 116, issued March 10, 2020, including any amendments and extensions) is rescinded. Includes a severability clause and calls for liberal construction of the Article.

Part VI

Clarifies that the act's headings are for reference only.

Includes a severability clause and standard effective date provision.

Intro. by Brown, Harrington, B. Jackson, J. Alexander, T. Alexander, Ballard, Berger, Blue, Britt, Bryan, Burgin, Chaudhuri, Clark, Daniel, D. Davis, J. Davis, deViere, Edwards, Fitch, Ford, Foushee, Gallimore, Garrett, Gunn, Hise, Horner, Johnson, Krawiec, Lowe, Marcus, McInnis, Murdock, Newton, Perry, Peterson, Rabon, Robinson, Sanderson, Sawyer, Searcy, Smith, Steinburg, Tillman, Waddell, Wells, Woodard.

[APPROP, GS 10B, GS 32A, GS 45A, GS 51, GS 66, GS 90, GS 96, GS 115C, GS 143, GS 153A, GS 159, GS 160A, GS 166A](#)

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[Agriculture, Business and Commerce, Courts/Judiciary, Civil, Civil Law, Family Law, Motor Vehicle, Development, Land Use and Housing, Community and Economic Development, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Government, APA/Rule Making, Budget/Appropriations, Public Records and Open Meetings, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Commerce, Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of State Treasurer, Department of Transportation, Office of State Budget and Management, Office of State Controller, State Government,](#)

State Personnel, Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Child Welfare, Public Assistance, Lottery and Gaming, Transportation

S 704 (2019-2020) **COVID-19 RECOVERY ACT**. Filed Apr 28 2020, *AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS*.

Senate committee substitute makes the following changes to the 1st edition.

Part II

Section 2.4

Modifies the stated legislative intent to now provide legislative intent to appropriate up to \$150 million, rather than \$300 million, if local governments experience a revenue shortfall and the federal CARES Act, PL 116-136, is amended to allow the use of federal funds for that purpose.

Part III

Section 3.1

Adds an additional directive for the Office of State Budget and Management (OSBM) to transfer \$150 million from the Local Government Coronavirus Relief Fund (established by the act) to the Coronavirus Relief Fund (established by the act) for the 2019-20 fiscal year.

Section 3.2

Increases the appropriation to OSBM from \$473,090,000 to \$623,090,000 in nonrecurring funds for the 2019-20 fiscal year to be allocated as provided in Section 3.3 of the act.

Section 3.3

Changes the recipient of the \$50 million that is to be allocated to the NC Healthcare Foundation, NC Senior Living Association, and NC Medical Society for supplies and equipment and personal protective equipment, from the Department of Health and Human Service to the Department of Public Safety. Also expands upon the entities to receive a portion of this money to also include the State Highway Patrol and the NC National Guard.

Expands the uses set forth for the allocation to the Community Colleges System Office to include the provision of Small Business Center counselors for small business needs.

Adds to the allocation to OSBM for continuity of operation needs across State government. Specifies that expenditures incurred during the period that begins March 1, 2020, and ends on December 30, 2020, are eligible for funding under this provision, as referenced in Section 2.2 of the act. Also expands upon the allowable allocation to OSBM for the continuity of operation needs across State government to further include covering overtime costs at community corrections facilities. Also clarifies that the funding can be used to provide COVID-19 testing for employees of the Division of Adult Correction and Juvenile Justice (was, Division of Prisons).

Modifies the allocation to UNC for the NC Policy Collaboratory to no longer identify entities for which the Collaboratory must coordinate and provide equal funds to for the previously specified purposes concerning COVID-19 response and research. Maintains the allocation and requires the Collaboratory to use the funds within the previously specified parameters. Makes conforming changes for the Collaboratory alone to report to the specified NCGA committee by September 1, 2020.

Adds to the allocations OSBM is required to make of the appropriated funds to now include \$50 million to OSBM for the Pandemic Recovery Office established by the act to create a comprehensive grants program to assist eligible communities impacted by the COVID-19 outbreak, and \$100 million to OSBM for counties that did not directly receive funding from the federal CARES Act, as specified.

Part IV

Section 4.2

Changes the cross-reference definition provided for the defined term *compensation* as it applies to the small business loan assistance program provisions.

Part V

Section 5.11

Amends one of the items that must be addressed by a public school units Remote Instruction Plan (Plan) to require that the Plan ensure that remote instructional time, practice, and application components support learning growth that continues toward mastery of the standard course of study (was produce learning growth that is commensurate with what would have taken place had the remote instruction day been a non-remote instruction day). Delays the due date for submitting the Plan to the State Board from June 30, 2020, to July 20, 2020.

Makes clarifying and organizational changes to the school calendar requirements set forth for the 2020-21 school year for public school units and local school administrative units. Additionally, makes a correction to require local school administrative units to adopt a school calendar with a closing date no later than June 11, 2021 (was, June 11, 2020).

Part VI

Section 6.2

Expands upon the definition of credential, as it relates to extending the validity of credentials, to also include the following issued by the DMV: limited learner's permit, limited provisional license, full provisional license, commercial learner's permit, transportation network company permit, wholesaler license, driver training school instructor license, and professional housemoving license. Makes conforming changes. Adds that a driving eligibility certificate dated on or after February 9, 2020, and before March 10, 2020, remains valid and may be accepted by the DMV to meet the requirements for a license or permit until 30 days after the earlier of the date the Governor rescinds Executive Order No. 116 or the date DMV reopens all drivers license offices.

Section 6.6

Expands the definition given for the defined term *health care facility* in proposed Article 1L of GS Chapter 90, Emergency or Disaster Treatment Protection Act, to include any clinical laboratory certified under the federal Clinical Laboratory Improvement Amendments in specified federal law.

Section 6.8

Amends proposed GS 159-33.1(b) as follows. Requires that the finance officer of each county, municipality, water district or authority, sewer district or authority, sanitary district, and metropolitan sewage district (was, of each unit and public authority) submit the statement of financial information concerning the impact of COVID-19. Changes the due date of the statement from January 1, 2021, to February 15, 2021. Requires that the statement include monthly data for the period from July 1, 2019, to December 31, 2020, instead of a year-to-date comparison to calendar year 2020. Changes the expiration of (b) from January 1, 2021, to February 15, 2021. Amends proposed GS 159-33.1(c) by changing the due date of the Local Government Commission's report from February 15, 2021, to March 15, 2021. Changes the expiration date of (c) from February 15, 2021, to March 15, 2021.

Section 6.13

Amends the scope of proposed Article 3 of GS Chapter 10B concerning video witnessing during a state of emergency. Now requires signature by a principal physically located in the State.

Section 6.15

Amends proposed GS 45A-4.1 concerning the disbursement of closing funds during certain declarations of emergency. Removes the requirement for all parties to agree in writing to the requirements of GS 45A-4 that closing funds be disbursed only upon collected funds.

Section 6.27

Modifies proposed Article 48 of GS Chapter 66, Limited Business Immunity, as follows. Expands civil immunity granted in the Article to include civil immunity for emergency response entities with respect to claims from any customer, user, or consumer for any injuries or death alleged to have been caused as a result of the COVID-19 pandemic or while doing business with the emergency response entity. Makes conforming changes throughout to include emergency response entities. Defines *emergency response entity* to mean businesses, not-for-profit organizations, educational institutions, and governmental entities that manufacture, produce, or distribute personal protective equipment, testing equipment, or ventilators, or process COVID-19 testing results. Adds that the provisions of Section 6.27 apply to claims filed on or after March 27, 2020.

Intro. by Brown, Harrington, B. Jackson, J. Alexander, T. Alexander, Ballard, Berger, Blue, Britt, Bryan, Burgin, Chaudhuri, Clark, Daniel, D. Davis, J. Davis, deViere, Edwards, Fitch, Ford, Foushee, Gallimore, Garrett, Gunn, Hise, Horner, Johnson, Krawiec, Lowe, Marcus, McInnis, Murdock, Newton, Perry, Peterson, Rabon, Robinson, Sanderson, Sawyer, Searcy, Smith, Steinburg, Tillman, Waddell, Wells, Woodard.

[APPROP, GS 10B, GS 32A, GS 45A, GS 51, GS 66, GS 90, GS 96, GS 115C, GS 143, GS 153A, GS 159, GS 160A, GS 166A](#)

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S 704 (2019-2020) [COVID-19 RECOVERY ACT](#). Filed Apr 28 2020, *AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS*.

Senate amendments make the following changes to the 2nd edition.

Amendment #1 amends Section 3.1 to increase the amount transferred from the Coronavirus Relief Reserve to the Coronavirus Relief Fund from \$598,090,000, to \$726,090,000. Amends Section 3.2 by increasing the amount appropriated from the Fund to OSBM from \$623,090,000, to \$751,090,000. Amends Section 3.3 as follows. Adds to the required uses of the funds appropriated to OSBM to require that: (1) \$20 million be allocated to the Department of Health and Human Services (DHHS) to provide funds to support local health departments, rural health providers, the State lab, and mental health crisis services; (2) \$25 million to DHHS to provide funding for food banks, support for residential settings that are incurring additional costs to mitigate spread or isolate positive cases, adult child protective services response, support for homeless and domestic violence shelters and housing security, child care response, costs to expand NCCARE360, and technology modifications to support COVID-19 emergency relief to beneficiaries; (3) \$61 million to DHHS for rural and underserved communities especially hard

hit by the COVID-19 pandemic; and (4) \$22 million to the Department of Public Instruction to provide funds for continuity of critical school nutrition programs across the state.

Amendment #3 amends Section 3.3 by making additional conforming and clarifying changes that reflect the earlier removal of the requirement for the NC Policy Collaboratory to work with specified entities.

Amendment #4 amends Section 3.3 by amending the allocation of \$9 million to the Department of Information Technology to that is to be used for the Growing Rural Economies with Access to Technology Fund to now require that it be used to provide supplemental project funding for all qualifying GREAT program applications. Makes GREAT grant applications received on or before April 1, 2020, that meet established criteria eligible to receive the supplementary funding. Allows applicants that were eliminated as a result of the scoring process or that contained proposed project areas that overlap with other applications to submit a revised application to qualify for this funding.

Amendment #5 amends Section 6.12 by clarifying in the new definition of *emergency video notarization* in GS 10B-3 that verification or proof is as it is defined in GS 10B-3(28).

Amendment #6 adds a new Section 6.2(b1). Allows the DMV to extend for up to six months the validity of a medical waiver if the waiver expires on or after March 1, 2020, and before August 1, 2020, and the DMV's Medical Review Unit determines the extension is appropriate.

Amendment #7 makes the following changes to Section 4.2. Adds to the requirements for the program and emergency loans to assist small business, to allow Golden LEAF to use up to \$2 million of the allocated funds to provide grants for providing technical assistance to businesses working to apply for a loan from the program or for other federal assistance programs.

Intro. by Brown, Harrington, B. Jackson, J. Alexander, T. Alexander, Ballard, Berger, Blue, Britt, Bryan, Burgin, Chaudhuri, Clark, Daniel, D. Davis, J. Davis, deViere, Edwards, Fitch, Ford, Foushee, Gallimore, Garrett, Gunn, Hise, Horner, Johnson, Krawiec, Lowe, Marcus, McInnis, Murdock, Newton, Perry, Peterson, Rabon, Robinson, Sanderson, Sawyer, Searcy, Smith, Steinburg, Tillman, Waddell, Wells, Woodard.

[APPROP, GS 10B, GS 32A, GS 45A, GS 51, GS 66, GS 90, GS 96, GS 115C, GS 143, GS 153A, GS 159, GS 160A, GS 166A](#)

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ACTIONS ON BILLS**PUBLIC BILLS****H 1034: SMALL BUSINESS EMERGENCY LOANS.**

House: Reptd Fav Com Substitute

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1035: EDUCATION OMNIBUS/COVID-19.

House: Reptd Fav

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1037: COVID-19 HEALTH CARE WORKING GROUP POLICY REC.

House: Reptd Fav Com Substitute

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1038: OMNIBUS COVID-19 RESPONSE FUNDS. (NEW)

House: Reptd Fav Com Substitute

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1039: COVID-19 RESPONSE ACT - ECONOMIC SUPPORT.

House: Reptd Fav

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1042: INCREASE IN-SERVICE DEATH BENEFIT/LRS.

House: Reptd Fav

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1043: COVID-19 TIME SENSITIVE MATTERS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 1047: EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS.

House: Filed

House: Passed 1st Reading

House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Rules, Calendar, and Operations of the House

H 1048: CPS INTAKE SCREENING/PED RECOMMENDATIONS.

House: Filed

H 1049: PED/DEQ ORGANIZATIONAL STRUCTURE.

House: Filed

H 1050: PED/LOW-PERFORMING SCHOOL DISTRICTS.

House: Filed

S 704: COVID-19 RECOVERY ACT.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Amend Adopted A3
Senate: Amend Adopted A4
Senate: Amend Adopted A5
Senate: Amend Adopted A6
Senate: Amend Adopted A7
Senate: Amendment Withdrawn A2
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: Ref To Com On Rules, Calendar, and Operations of the House

LOCAL BILLS

S 705: BUNCOMBE COUNTY JOB RECOVERY ACT.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

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