



The Daily Bulletin: 2020-05-15

PUBLIC/HOUSE BILLS

H 1096 (2019-2020) [UNC OMNIBUS CHANGES/UNC FUNDS](#). Filed May 14 2020, *AN ACT TO MAKE VARIOUS CHANGES AND PROVIDE FOR FUNDS RELATED TO THE UNIVERSITY OF NORTH CAROLINA SYSTEM.*

Part I

States legislative intent to appropriate additional funds from the General Fund to the UNC Board of Governors (BOG) to buy down financial obligations of Elizabeth City State University, UNC at Pembroke, and Western Carolina University for the NC Promise Tuition Plan established by specified state law. Provides for specified amounts of recurring funds for the 2021-22, 2022-23, 2023-24, and 2024-25 fiscal years. States legislative intent that the net appropriation for the described buy down of financial obligations for these institutions be capped at \$81.4 million in recurring funds for the 2024-25 fiscal year and subsequently thereafter.

Part II

Repeals GS 116-17.3, which required the BOG to monitor (1) nonlegislative annual employee salary increases of 5 percent or more granted at constituent institutions or within the UNC System Office to employees having annual salaries of \$100,000 or greater, or that would result in an annual employee salary of \$100,000 or greater and (2) new personnel positions created at constituent institutions or within the UNC System Office having annual salaries of \$70,000 or greater.

Part III

Amends GS 116-239.5 to require the BOG to designate constituent institutions to submit proposals to establish a total of at least nine laboratory schools (currently, required the BOG to designate at least nine constituent institutions to submit proposals to establish laboratory schools). Adds coordinating new authority to allow the BOG's Subcommittee on Laboratory Schools (Subcommittee) to select a constituent institution to operate more than one laboratory school.

Amends GS 116-239.5 to extend the specific immunities provided for the State Board of Education, the Superintendent, local boards of education, local school administrative units, and their members and employees under GS Chapter 115C to the Subcommittee, chancellor, the constituent institution, an advisory board, and a laboratory school, and their members, employees, and agents. Limits immunity to exclude gross negligence, wanton conduct, or intentional wrongdoing. Deems the immunity waived to the extent of indemnification and to the extent sovereign immunity is waived under specified state law. Applies to an action or omission of an action occurring on or after the date the act becomes law.

Amends GS 116-239.7 regarding the selection and creation of laboratory schools. Eliminates the restriction of the Subcommittee to limit selection to a maximum of one laboratory school per qualifying local school administrative unit. Allows for waiver of the minimum threshold for low-performing schools in a local school administrative unit for the location of a laboratory school for six rather than three laboratory schools, if existing criteria are met. Modifies the provisions regarding renewal of the term of operation for laboratory schools. Now requires, rather than permits, the Subcommittee to renew the term of operation for an additional five-year period if the laboratory school is located in a local school administrative unit that meets the low-performing schools threshold, or has a waiver of the threshold requirement renewed. Additionally, now permits the Subcommittee to renew the term of operation for another five-year period for laboratory schools that are no longer located in a qualifying administrative unit or meeting the Article's purposes under a waiver at the end of five years if it finds the school is meeting its mission to improve student performance and provide valuable training to teachers and principals in the constituent's educator preparation program (previously, did not provide for renewal and required notice to the BOG at the end of the term to request designation of additional constituent institutions to establish laboratory schools). Adds authority for the Subcommittee to terminate laboratory school operation during the initial term or renewal period if it finds the school is failing to meet expected progress in meeting the mission required of the Article. Requires the Subcommittee to notify the BOG at the end of operation of a laboratory school and request designation of additional constituent institutions to establish a laboratory school. Makes further conforming changes.

Amends GS 116-239.8 to require the local school administrative unit in which the laboratory school is located to provide transportation to students who reside in the unit and attend the laboratory school, including any students who are homeless and require assistance pursuant to federal law (currently, more broadly requires transportation to attending students, but does not specifically include homeless students). Adds that the transportation requirement applies regardless of where a student resides in the unit or how the unit's transportation policies and practices are applied to other students, and includes providing transportation of students and personnel to extracurricular activities and educational trips of the school in the same manner as other schools in the unit for that year. Specifies that the unit is responsible for the cost of administration of the National School Lunch Program for the laboratory school. Applies beginning with the 2020-21 school year.

Amends GS 116-239.9 to expand the eligibility of laboratory admission to include children of a laboratory school employee if the child resides in the local school administrative unit in which the laboratory school is located. Additionally, adds new authority for laboratory schools to admit students who reside in the unit but do not meet eligibility requirements if the school has not reached enrollment capacity in a program, class, grade level, or building by March 1, prior to the start of the next school year, up to 20 percent of the respective capacity. Adds a new requirement for the laboratory school to make reasonable efforts to reflect the composition of the general population of students residing in the unit in which the school is located within one year of operation. Explicitly prohibits unlawful discrimination in making admissions determinations. Applies beginning with the 2020-21 school year.

Amends Section 11.6 of SL 2016-94, as amended, to require at least six, rather than nine, laboratory schools to be established and in operation by the beginning of the 2020-21 school year. Adds a new requirement for at least three laboratory schools to be established and in operation by the beginning of the 2022-23 school year.

Appropriates \$500,000 in recurring funds from the General Fund to the BOG for the 2020-21 fiscal year for administrative and technical assistance related to the UNC Teacher and Principal Preparation Laboratory School Program for support services. Bars use of the funds to create new positions or hire additional consultants for the UNC System Office. Effective July 1, 2020.

Part IV

Amends Section 36.6 of SL 2018-5, which establishes the UNC BOG Planning Task Force and requires the Task Force to report to the specified NCGA committee and division on the compiled UNC System Plan, to extend the deadline for submission of the Task Force's report from April 1, 2019, to July 30, 2020.

Part V

Directs that \$779,000 of the unexpended and unencumbered funds appropriated to the UNC BOG for the BOG Planning Task Force for the 2018-19 fiscal year in SL 2018-5 be allocated to UNC-Asheville for the 2020-21 fiscal year to cover the expenses incurred related to meeting the building requirements imposed by the Department of Insurance to allow students to occupy the University's newly constructed Woods Residence Hall for the beginning of the 2018-19 academic year. Effective June 30, 2019.

Part VI

Restructures the Future Teachers of North Carolina (FTNC) program, set forth in Part 4B, Article 1, GS Chapter 116, as follows. Establishes FTNC as a selective, application-based symposium for high school juniors and seniors, offering a challenging introduction to teaching as a profession (previously, offered to all high school students). Adds to the FTNC courses to include instruction on pedagogy, ethics and professionalism, child development, successful teaching strategies and classroom management practices, effective lesson planning, assessment and intervention, and teacher licensure requirements (previously, provided for instruction on pedagogy and the profession of teaching and field experiences generally). Adds new requirements for FTNC to provide practical benefits which may include interaction with current educators, administrators, and educator preparation program faculty members; a stimulated student teaching experience; and information about financial aid and scholarship opportunities. No longer characterizes FTNC as a program offered by high schools in conjunction with college partners.

Maintains FTNC administration through the UNC System Office. Rather than requiring the System President to select three constituent institutions for collaboration on curricula development and faculty support networks, now requires the President to establish an FTNC Advisory Council (FTNC Council) to oversee the program. The FTNC Council, at the President's discretion, is charged with oversight of coordination among constituent institutions to design the agenda and instructional content for the FTNC symposium. Requires the FTNC Council to ensure diverse representation of educator preparation

programs. Requires the FTNC to create an application process for interested students, application review, student selection, and student recruitment and outreach efforts. Eliminates provisions concerning FTNC site applications and constituent institution partners.

Changes the annual reporting requirements to now only require the following information in the System Office's report on FTNC: (1) list of high school students and local administrative units represented by participating students; (2) number of students who submitted an application to attend the FTNC symposium; (3) the number of attending students, including regional distribution; (4) demographic information of attending students; (5) description of the event agenda and content; and (6) percentage of attending students who report plans to choose the teaching profession or who plan to enroll in higher education, effectiveness of FTNC in formulating a positive perception of the profession, and increased knowledge of the profession and education careers. Delays the starting date of the reporting to 2021.

Part VII

Amends GS 66-58, which prohibits the sale of merchandise or services by governmental units, to allow NC A&T University to sell dairy products and by-products of heavy cream at University-owned facilities that are produced at the University Farm at NC A&T, so long as any profits are used to support the Agricultural Research Program and the College of Agriculture and Environmental Sciences at the University.

Part VII

Enacts Part 6, Tuition Grants for Graduates of the NC School of Science and Mathematics (NCSSM), to Article 23 of GS Chapter 116.

Establishes the Tuition Grant for Graduates of NCSSM Program (Program) to provide for a tuition grant for resident graduates from the NCSSM who enroll as full-time students in a constituent institution of the UNC System, within the funds available for the Program, beginning with the 2020-21 school year. Allows for students who receive initial tuition grants as a cohort of a graduating class to also be eligible to apply for tuition grants for subsequent academic years for up to four academic years.

Provides for grant administration by the State Education Assistance Authority (Authority) pursuant to guidelines and procedures consistent with its practices for administering State-funded financial aid. Details the required guidelines and procedures. Requires the Authority to receive proper certification from the appropriate eligible institution of higher education prior to approving grants. Provides for remittance to the appropriate eligible institution of higher education, and refunds by the institution as specified. Provides for grant amounts to cover the tuition costs at the constituent institution in which the student is enrolled for the student's first academic year. Also provides for the reduction of grants if an eligible student receives a scholarship or grant covering the cost of attendance at the eligible institution of higher education for which the grant was awarded, as specified. Requires available funds to be divided between eligible students pro rata in the event the Program has insufficient funds for each eligible student to receive the full tuition grant for that academic year. Requires continuous enrollment to be eligible for tuition grants for subsequent academic years; allows for waiver for substantial disruption or interruption due to military service or obligation, serious medical debilitation, short- or long-term disability, or other extraordinary hardship, determined at the Authority's discretion.

Establishes the NC Tuition Grant Reserve Fund (Reserve) to hold all monies appropriated to the Authority to provide the tuition grants, all returned tuition grant monies, and all interest earned, to be used for tuition grants for the academic year that begins in the fiscal year following the fiscal year in which the appropriation is made to the Reserve, and up to 5 percent of the funds appropriated each fiscal year to cover the Authority's administrative costs.

Appropriates from the General Fund to the the BOG for the Reserve for the 2020-21 fiscal year \$3,374,850 for the award of grants. States legislative intent to appropriate \$4,499,800 for the same purpose for the 2021-22 fiscal year.

Appropriates from the General Fund to the BOG for the 2020-21 fiscal year \$2 million in nonrecurring funds to provide tuition grants for the 2020-21 academic year to be awarded by the Authority for students graduating from NCSSM at the end of the 2019-20 school year, and those who graduated from NCSSM at the end of the 2018-19 school year and were awarded a tuition grant for the 2019-20 academic year pursuant to SL 2018-5. Specifies that grant recipients for the 2020-21 academic year are eligible for grants for subsequent academic years beginning with the 2021-22 academic year.

Effective July 1, 2020.

Part IX

Amends GS 116-209.62, which establishes and provides for the administration of the NC Teaching Fellows Program (Program). Expands cooperation of higher education institutions from five to eight institutions with approved educator preparation programs, and calls for the institutions to represent a diverse selection of constituent institutions of UNC and private postsecondary institutions in the state. Makes conforming changes concerning forgivable loans for students at selected institutions. Applies to the award of forgivable loans beginning with the 2021-22 academic year.

Changes the required allocations for mentoring and coaching support for forgivable loan recipients through the NC New Teacher Support Program to require up to \$2,200 for each Program recipient, with funds prioritized for teachers serving in low-performing NC public schools (previously, required up to \$2,000 for recipients serving as teachers in low-performing NC public schools, and up to \$1,000 for recipients serving as a teacher in other NC public schools not identified as low-performing). Effective July 1, 2020.

Makes forgivable loans of up to \$4,125 per semester for up to four semesters available for students matriculating at institutions of higher education who are changing to an approved program of student at a selected educator preparation program (was, changing to enrollment in a selected educator preparation program), so long as requirements are met.

Part X

Directs the BOG to provide a directed grant to the National College Advising Corps Inc. (CAC) to support expansion of the placement of college advisors in NC public schools through its program over a three-year period. Describes CAC and the role of near-peer college advisors. Appropriates \$1,881,861 in recurring funds from the General Fund to the BOG for the 2020-21 fiscal year to be provided to CAC to expand the placement of college advisors as described in the act.

States legislative intent to appropriate from the General Fund to the BOG funds in specified amounts to be provided to CAC to expand the placement of college advisors statewide by the third year of expansion of the CAC program for the 2021-22 and 2022-23 fiscal years.

Requires CAC to match funds made available by the act at a \$2 match for every \$1 of State funds. Deems the funds non-reverting.

Details restrictions on use of the funds, including placement of college advisors in tier one and tier two counties during the first two years, with statewide expansion during the third year. Requires CAC to designate at least three postsecondary institutions to partner with to increase the number of graduates working as near-peer college advisors to meet program expansion needs. Once statewide placement goals have been reached, requires funds to be used to continue the mission of the program.

Requires CAC to annually report on State funds spent to the specified NCGA committee and division, as well as the progress of expansion, and the effectiveness of the program.

Part XI

Amends GS 143C-8-13 to authorize the chancellor of a constituent institution of UNC to pay for capital improvement projects with funds available to the institution whereby (1) the total project costs do not exceed \$1 million and the projects are of the 13 types permitted under the statute, regardless of whether the facilities and related infrastructure are supported from the General Fund or the State Capital and Infrastructure Fund; (2) the institution reports to the BOG on projects and specified NCGA division on projects undertaken pursuant to this authority, with specified content included, on a quarterly basis; and (3) funds from a General Fund appropriation that are contractually obligated for a project pursuant to this authority remain available to fund the completion of the project. Requires the BOG to negatively weight the availability of non-State resources and carryforward funds available for repairs and renovations in making campus allocations of funds for capital improvements, and include information about the manner of compliance of this provision with any reporting required by the statute. Makes conforming changes.

Part XII

Amends GS 115C-5 to no longer include schools operated by UNC providing elementary or secondary instruction in the definition of *public school unit* as the term applies to GS Chapter 115C.

Part XIII

Enacts GS 126-5(c16) to exempt commissioned police officers and police telecommunicator positions of UNC from the provisions of the Chapter (the NC Human Resources Act), except for Articles 6 (concerning equal employment and

compensation opportunity), 7 (concerning the privacy of state personnel records), and 8 (concerning employee appeals of grievances and disciplinary action). Deems such employees eligible for all employment and retirement benefits provided to State law enforcement officers subject to the Chapter.

Part XIV

Amends GS 116-143.10 to bar the inclusion of debt service fees in the cumulative total of all undergraduate student fees with regards to the 3 percent cap on the increase of student fees at constituent institutions per academic year.

Part XV

Amends GS 116-198.33 to include affiliated institutions of UNC in the definition of the defined terms *institution* and *millennial campus* as those terms are used in Article 21B, which authorizes the BOG to issue revenue bonds to pay the cost of buildings, structures, or other facilities for the Centennial Campus, located at North Carolina State University at Raleigh, for the Horace Williams Campus located at the University of North Carolina at Chapel Hill, and for any Millennial Campus.

Amends GS 116-198.34 to include in the BOG powers the power to act on recommendations made by the President with the chief executive officer or equivalent for an affiliated institution to designate real property as a Millennial Campus. Makes conforming changes.

Part XVI

Establishes a special registration plate for the North Carolina Arboretum under GS 20-63(b1). Exempts the plate from the threshold and application requirements of GS 20-79.3A.

Part XVII

Repeals specified sections of HB 966 (Appropriations Act of 2019) if HB 966 becomes law.

Provides that the act's provisions supersede any conflicting provisions of HB 966 or the specified Committee Report.

Intro. by Fraley, Clemmons, Horn.

[APPROP, UNCODIFIED, GS 20, GS 66, GS 115C, GS 116, GS 126, GS 143C](#)

[Business and Commerce, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, Cultural Resources and Museums, Public Safety and Emergency Management, State Agencies, UNC System, Department of Transportation, Local Government, Transportation](#)

[View summary](#)

H 1101 (2019-2020) [UNCG/NC A&T/GUILFORD CO. FUNDS/UNC](#). Filed May 14 2020, *AN ACT TO MAKE VARIOUS CHANGES RELATED TO THE UNIVERSITY OF NORTH CAROLINA SYSTEM AND TO APPROPRIATE FUNDS RELATED TO NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, AND GUILFORD COUNTY.*

Part I.

Amends GS 116-239.9 regarding student admission and assignment in UNC laboratory schools. Adds to the qualifying criteria for attendance eligibility the children of a laboratory school employee.

Authorizes a laboratory school which has not reached enrollment capacity in a program, class, grade level, or building by March 1 prior to the start of the school year to enroll children who reside in the local school administrative unit in which the school is located who do not meet the admissions criteria. Caps enrollment under this provision at 20% of the total capacity of the program, class, grade level, or building.

Adds a requirement for new laboratory schools to, within one year after beginning operation, make reasonable efforts in the recruiting process to have the school's population reasonably reflect the racial, ethnic, and socioeconomic composition of the general population of students residing within the local unit in which the school is located. Prohibits a laboratory school from unlawfully discriminating when making admissions determinations.

Applies beginning with the 2020-21 school year.

Part II.

Amends GS 116-30.3 by increasing the amount that can be carried forward by UNC from 2.5 to 5 percent of the General Fund appropriation for budget codes for (1) each special responsibility constituent institution, (2) the Area Health Education Centers of UNC-Chapel Hill, and (3) UNC System Office Budget Code 16010. Adds that carried forward funds can be used for one-time expenditures, including that any funds carried forward in a budget code in excess of 2.5 percent of the General Fund appropriation for that budget code may be used for projects eligible to receive funds under GS 143C-8-13(a) (concerning projects for which funds for repairs and renovations may be used).

Effective July 1, 2024, amends GS 116-30.3 to return the allowable carryforward amount to 2.5 percent and deletes the added language.

Part III.

Amends GS 66-58, which prohibits the sale of merchandise or services by governmental units, to allow NC A&T University to sell dairy products and by-products of heavy cream at University-owned facilities that are produced at the University Farm at NC A&T, so long as any profits are used to support the Agricultural Research Program and the College of Agriculture and Environmental Sciences at the University.

Part IV.

Appropriates \$2.5 million in additional recurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to NC A&T State University to support its agricultural research and cooperative extension activities by matching federal funds awarded to the University. Provides that the minimum match is \$1 in nonfederal funds for every \$1 in federal funds for agricultural research and extension activities approved in the plan of work submitted to the US Secretary of Agriculture. States the NCGA's intent to appropriate additional state funds as necessary to meet at least the minimum match for available federal funds for this program in subsequent fiscal years.

Part V.

Appropriates \$7.5 million in additional recurring funds for 2020-21 from the General Fund to the Board of Governors to be allocated to North Carolina Agricultural and Technical State University to support established doctoral programs. Requires funds to be used to support new faculty and graduate student services for the doctoral program, including the specified fields.

Part VI.

Appropriates \$4 million in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to UNC-Greensboro to offset housing reimbursements given to students due to the closing of campus in response to Executive Order No. 116.

Part VII.

Appropriates \$981,693 in recurring funds and \$734,267 in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors for the Building Reserve for the operation and maintenance of the Nursing and Instructional Building at UNC-Greensboro.

Appropriates \$156,250 in recurring funds and \$71,908 in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors for the Building Reserve for the operation and maintenance of the South Chiller Plant at UNC-Greensboro.

Part VIII.

Transfers \$7.7 million for 2020-21 from the General Fund to the State Capital and Infrastructure Fund. Appropriates that \$7.7 million from the State Capital and Infrastructure Fund to the Office of State Budget and Management to provide a directed

grant to Guilford County for the construction of a mental health crisis center.

Part IX.

Provides that if H 966 (2019 Appropriations Act) becomes law, then the following provisions of that act are repealed: Section 8.5(d), 8.7, and 8.14. If the act becomes law and any provisions of that act or the Committee Report conflict with this act, then this act controls.

Part X.

Effective July 1, 2020, unless otherwise provided.

Intro. by Clemmons, Hardister, Quick, Faircloth.

[APPROP, Guilford, GS 66, GS 116](#)

[View summary](#)

[Agriculture, Business and Commerce, Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Health and Human Services, Mental Health](#)

H 1105 (2019-2020) [COVID/SUPPLEMENTARY G.R.E.A.T. GRANT PERIOD](#). Filed May 14 2020, *AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF INFORMATION TECHNOLOGY TO EXPEDITE AND EXPAND BROADBAND INFRASTRUCTURE IN THE STATE WITH A SUPPLEMENTARY GRANT PERIOD FOR THE G.R.E.A.T. PROGRAM.*

Directs the Department of Information Technology to provide a special supplementary grant process to accelerate the provision of broadband access through the Growing Rural Economies with Access to Technology (GREAT) program for applications submitted on or before September 15, 2020. Requires grants to be awarded by December 30, 2020.

Requires grant applications and awards to comply with the requirements of GS 143B-1373, which sets forth guidelines and requirements of the GREAT program, with the following modifications.

Allows 15 rather than 30 days for posting applications, and requires protest submissions to be submitted in the 15-day period.

Expands the definition of *eligible economically distressed county* to include development tier one and two areas and rural census tracts located in development tier three areas (only includes development tier one areas under the Program's statutory guidelines). Bars counties with total employment of 500,000 or more from eligibility.

Replaces and expands the scoring model measures, provided by the region of the proposed project.

Replaces the matching fund requirement, now ranging from 50 to 30 percent matching required based on scoring ranges (statutory requirements call for 55 to 35 percent matching). Allows for up to 50 percent of matching funds to be paid by third-party funding and other grant programs, excluding the Universal Service Fund and the Connect America Phase II Fund. Allows for election of matching payment until project completion.

Concerning grant awards and administration, requires priority for applications receiving the highest score based on the act's scoring model. Provides for breaking tied scores. Requires grant agreements to comply with the statutory requirements, along with timelines and disbursement criteria based on progress. Permits the applicant to opt to receive an initial disbursement equal to construction costs. Details certification required by the applicant at project completion. Caps grants at \$2.8 million, with no combination of grants involving a single county to exceed \$5.6 million.

Adds to the statutory forfeiture provisions a total forfeiture and liability for any unmatched funds if the project is not completed under the agreed terms prior to December 30, 2021.

Adds to the statutory speed multiplier formula, giving projects that will provide a minimum upload speed of 200 megabits per second and a minimum download speed of 20 megabits per second, or more, a two point multiplier.

Directs the State Controller to transfer \$30 million from the Coronavirus Relief Reserve to the Coronavirus Relief Fund (both established in SL 2020-4) for the 2019-20 fiscal year. Transfers \$30 million from the Coronavirus Relief Fund to the State

Capital and Infrastructure Fund. Appropriates \$30 million from the State Capital and Infrastructure Fund to the GREAT Fund to implement the act. Requires unspent funds to be carried over and appropriated for the 2020-21 fiscal year to implement the act and the requirements and limitations of the federal CARES Act.

Intro. by Arp, Saine, B. Jones, Reives.

[APPROP, UNCODIFIED](#)

[View summary](#)

[Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Office of Information Technology Services](#)

H 1107 (2019-2020) [NCSSM TUITION GRANT PROGRAM](#). Filed May 14 2020, *AN ACT TO ESTABLISH THE TUITION GRANT FOR GRADUATES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS PROGRAM*.

Enacts Part 6, Tuition Grants for Graduates of the NC School of Science and Mathematics (NCSSM), to Article 23 of GS Chapter 116.

Establishes the Tuition Grant for Graduates of NCSSM Program (Program) to provide for a tuition grant for resident graduates from the NCSSM who enroll as full-time students in a constituent institution of the UNC System, within the funds available for the Program, beginning with the 2020-21 school year.

Provides for grant administration by the State Education Assistance Authority (Authority) pursuant to guidelines and procedures consistent with its practices for administering State-funded financial aid. Details the required guidelines and procedures. Requires the Authority to receive proper certification from the appropriate eligible institution of higher education prior to approving grants. Provides for remittance to the appropriate eligible institution of higher education, and refund by the institution as specified. Provides for grant amounts to cover the tuition costs at the constituent institution in which the student is enrolled for the student's first academic year. Also provides for the reduction of grants if an eligible student receives a scholarship or grant covering the cost of attendance at the eligible institution of higher education for which the grant was awarded, as specified. Requires available funds to be divided between eligible students pro rata in the event the Program has insufficient funds for each eligible student to receive the full tuition grant for that academic year.

Establishes the NC Tuition Grant Reserve Fund (Reserve) to hold all monies appropriated to the Authority to provide the tuition grants, all returned tuition grant monies, and all interest earned, to be used for tuition grants for the academic year that begins in the fiscal year following the fiscal year in which the appropriation is made to the Reserve, and up to 5 percent of the funds appropriated each fiscal year to cover the Authority's administrative costs.

Appropriates from the General Fund to the Reserve for the 2020-21 fiscal year \$1 million in recurring funds for the award of grants.

Provides that if H 966 (2019 Appropriations Act) becomes law, then Section 8A.2 of the act and the provision of the Committee Report described in Section 42.2 are repealed.

Effective July 1, 2020, and applies beginning with the award of tuition grants for the 2021-22 academic year.

Intro. by Brewer, Hunt, Gailliard, Hawkins.

[APPROP, GS 116](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System](#)

H 1108 (2019-2020) [PFAS CONTAMINATION MITIGATION MEASURES](#). Filed May 14 2020, *AN ACT TO IMPLEMENT MEASURES TO PREVENT AND ADDRESS CONTAMINATION FROM THE DISCHARGE OF PFAS IN THE STATE IN ORDER TO PROTECT PUBLIC HEALTH*.

Part I

Expands the water pollution control measures set out in GS 143-215.1 as follows. Directs the Department of Environmental Quality (DEQ) to require applicants for a new or renewed individual National Pollutant Discharge Elimination System (NPDES) permit to disclose each pollutant in the person's discharge reasonably expected to be at or above the pollutant's practical quantitation limit (PQL), including concentration discharged and either the chemical abstracts service (CAS) number or a detailed characteristic description. Additionally, mandates that when any person is required to obtain a NPDES permit that receives waste from an industrial user: (1) the industrial user must disclose in the user's application for a new or renewed pretreatment permit each pollutant in the user's discharge that is at or above the pollutant's PQL and (2) must eliminate, either by the permittee or the industrial user, any perfluoroalkyl or its substances (PFAS) prior to discharge into State waters, as specified.

Part II

Directs DEQ to begin identifying technology-based limits for detectable PFAS, as defined, in new and renewed NPDES permits with treatment sufficient to reduce detectable PFAS in effluent to non-detect levels, as defined. Requires DEQ to begin this action by June 1, 2021.

Directs DEQ to study the presence of PFAS in land-applied biosolids, including identification of the most common PFAS, likely categories of sources, the propensity for migration off-site, and accumulation and persistence in soil and water downgradient from land application sites. Requires DEQ to report to the Environmental Management Commission (EMC) and the Environmental Review Commission (ERC) by September 1, 2021. Directs the EMC to adopt rules to prevent PFAS migration or accumulation off-site from land application sites if DEQ finds PFAS are likely to migrate and accumulate at detectable levels in soil and water that are downgradient from sites in its study.

Directs DEQ to study the presence of PFAS in leachate collected and disposed of from municipal solid waste landfills and construction and demolition debris landfills, including identification of the most common PFAS and the effectiveness of treatment technologies. Requires DEQ to report to the EMC and ERC by September 1, 2021. Directs the EMC to adopt rules to prohibit the disposal of leachate containing detectable PFAS, as defined, at wastewater treatment plants if DEQ finds practical removal from wastewater prior to discharge impracticable.

Requires DEQ to approve a US EPA-validated lab method by January 1, 2021, if the US EPA has not certified a lab method for the identification and measurement of PFAS in wastewater.

Part III

Appropriates \$5 million in nonrecurring funds from the General Fund to DEQ for the 2020-21 fiscal year for the Bernard Allen Drinking Water Fund to fund drinking water treatment systems for covered wells, as defined.

Appropriates \$5 million in recurring funds from the General Fund to DEQ to expand DEQ's ambient water quality monitoring activities to identify emerging and other pollutants in State waters at locations upstream from surface drinking water intakes.

Appropriates \$1 million in nonrecurring funds from the General Fund to DEQ for the 2020-21 fiscal year to develop a strategy to address persistent toxic chemicals in the State's environment. Requires development of a PFAS Chemical Action Plan pursuant to criteria provided, and consultation with stakeholders with opportunities for public comment. Requires the Final PFAS Chemical Action Plan to identify recommendation for legislative and administrative action. Requires finalization of the Plan by January 1, 2022, with implementation by April 1, 2022.

Appropriates \$1 million in nonrecurring funds from the General Fund to DEQ for the 2020-21 fiscal year to study PFAS destruction and disposal techniques to identify a safe (as defined), effective, and scalable technology, including an analysis of current technologies. Allows for coordination of research with other entities. Requires DEQ to report to the EMC and ERC by September 1, 2021.

Appropriates \$80 million in nonrecurring funds from the General Fund to the State Water Infrastructure Authority for the 2020-21 fiscal year to issue matching grants to water systems to build or improve drinking water treatment systems to substantially reduce public exposure to detectable PFAS.

Directs the Attorney General to develop and maintain a record of cumulative expenses of State agencies and local governments relating to the grants for drinking water treatment systems for covered wells, the study of PFAS destruction and disposal techniques, and the grants to water systems to build or improve drinking water treatment systems to reduce public exposure of detectable PFAS, as required by the act.

Defines detectable PFAS for purposes of the appropriations provisions of the act.

Effective July 1, 2020.

Part IV

Contains a severability clause.

Intro. by Harrison, Butler, Hunt, Clark.

[APPROP, STUDY, GS 143](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of Justice, Local Government, Health and Human Services, Health, Public Health](#)

H 1009 (2019-2020) [PFAS MANUFACTURE/USE/SALE BAN](#). Filed May 14 2020, *AN ACT TO BAN THE MANUFACTURE, USE, AND DISTRIBUTION OF PFAS AND PFAS-CONTAINING PRODUCTS WITHIN THE STATE IN ORDER TO PROTECT PUBLIC HEALTH.*

Enacts Part 8, Ban Manufacture, Use, and Distribution of Certain Toxic Chemicals, of Article 21A, GS Chapter 143.

Makes it unlawful to knowingly manufacture, use, process or distribute polyfluoroalkyl and its substances (PFAS). Excludes the use and distribution of products specifically authorized or required to contain PFAS by federal law.

Permits the Secretary of the Department of Environmental Quality (DEQ, Secretary) to assess penalties up to \$5,000 for a violation of a requirement of Part 8, or up to \$25,000 if the violation involved a hazardous waste, and up to \$10,000 for repeat offenses, with penalties for multiple occurrences capped at \$200,000 for any month. Provides for considerations to be considered in determining penalty amounts, and procedures for civil penalties, including notice. Allows for contested case petitions within 30 days following the receipt of notice of the assessment.

Provides for remission requests within 30 days of receipt of the notice assessment, which must be accompanied by a waiver of the right to a contested case hearing and a stipulation to the facts on which the assessment is based. Allows for remission requests to be resolved by the Secretary and the violator, and if they are unable to resolve the request, then the Secretary must deliver the request and recommended action to the Committee on Civil Penalty Remissions of the Environmental Management Commission.

Requires the Secretary to request the Attorney General to begin a civil action in specified superior court for penalties not paid within 30 days of notice of the assessment, or 30 days after a final agency decision or order has been served if the violator contests the case or requests remission. Sets a three year statute of limitations on civil actions from the date of the final agency decision or court order service.

Appropriates \$100,000 in nonrecurring funds from the General Fund to DEQ for the 2020-21 fiscal year to fund additional monitoring and enforcement activities to address PFAS contamination.

Includes a severability clause.

Intro. by Harrison, Butler, Autry.

[APPROP](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality \(formerly DENR\)](#)

H 1110 (2019-2020) **PFAS STUDIES**. Filed May 14 2020, *AN ACT TO DIRECT VARIOUS AGENCIES TO STUDY MATTERS ASSOCIATED WITH PFAS CONTAMINATION.*

Part I

Directs the Department of Health and Human Services (DHHS) to implement a program to study the estimated human exposure to per- and poly-fluoroalkyl substances (PFAS) in the Cape Fear River Basin, and to conduct an epidemiological study of populations of the Cape Fear River Basin to identify disparities in disease prevalence that are consistent with long-term exposures to PFAS. Requires consultation with the Department of Environmental Quality (DEQ). Requires DHHS to report to the Environmental Review Commission (ERC) by December 31, 2021, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2021.

Part II

Directs the Wildlife Resources Commission (WRC) to study the estimated ecological exposures and impacts from PFAS contamination in the Cape Fear River Basin. Requires WRC to report to the ERC by December 31, 2021, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2021.

Part III

Directs the Office of State Budget and Management (OSBM) to study the estimated costs to the State, local governments, businesses, and individuals in response to human and ecological exposure to PFAS. Requires consultation with DEQ and the Attorney General to estimate costs attributable to each source of PFAS identified in the state. Requires OSBM report to the Environmental Review Commission (ERC) by December 31, 2021, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2021.

Part IV

Requires DEQ to create an inventory of ongoing discharges of PFAS to the air and surface waters and likely instances of soil and groundwater PFAS contamination, with specified information for each. Allows coordination with the NC PFAS Testing Network, organized by the NC Policy Collaboratory (Collaboratory), or any other entity. Requires DEQ to report to the ERC by September 1, 2021, with quarterly updates on new discharges thereafter.

Requires the DEQ Science Advisory Board to conduct a risk assessment of the risks to human health by PFAS exposure in various NC media, based on the best scientific available information, and report to the specified NCGA committee and the ERC by September 1, 2021.

Part V

Directs the Collaboratory to study the ongoing and anticipated future costs of the aggregate impact of the discharge, emission, and contamination of PFAS in North Carolina, as specified, and to report to the specified NCGA committees by September 1, 2021.

Part VI

Directs the ERC to study all statutory and regulatory requirements for disclosing the discharge or release of PFAS or other emerging contaminants to DEQ and the public, and report to the 2021 Regular Session of the NCGA.

Directs the ERC to study actions taken by other states to promote the practice of green chemistry to reduce the generation and use of hazardous chemicals and to drive sustainable alternatives to the use and manufacture of PFAS and other emerging contaminants. Requires the ERC to also study relevant tax incentives, regulatory changes and other approaches other states have adopted. Requires the ERC to report to the 2021 Regulation Session of the NCGA.

Part VII

Appropriates the following nonrecurring funds from the General Fund for the 2020-21 fiscal year for the act's implementation: \$100,000 to DHHS; \$100,000 to WRC; \$100,000 to OSBM; \$200,000 to DEQ; and \$100,000 to the Collaboratory. Effective July 1, 2020.

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, UNC System, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Office of State Budget and Management, Health and Human Services, Health, Public Health

H 1111 (2019-2020) **SUNSHINE AMENDMENT**. Filed May 14 2020, *AN ACT TO PROVIDE FOR GOVERNMENT IN THE SUNSHINE BY AMENDING THE NORTH CAROLINA CONSTITUTION.*

Subject to voter approval at the statewide election in November 2020, adds new Section 7 to Article XIV of the NC Constitution to establish the right to inspect and copy any public record made or received in connection with the official business of any public body, officer, or employer of the State or persons acting on their behalf. Specifically encompasses legislative, executive, and judicial branches and each agency or department thereunder, local governments and special districts, and every officer, board, commission or entity legally created. Further, requires all meetings of described public bodies where official action or business is to be discussed or transacted to be open and noticed to the public. Specifically requires NCGA meetings to be open and noticed to the public as provided by law.

Deems new Section 7 self-executing but authorizes the NCGA to provide for exemptions to the public record and open meetings requirements with two-thirds vote of the members present and voting of each house, so long as the law states a public necessity justification for the exemption and is narrowly tailored to that purpose, and related to one subject only. Requires legislative action to govern enforcement of this section, and allows each chamber to adopt rules governing enforcement in relation to the chamber's records.

Provides for the continued validity of all laws limiting public access to records or meetings, and all court rules that limit access to records, in effect on January 1, 2021, until amended or repealed, as appropriate.

Intro. by Setzer, Ross.

CONST

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Constitution, Courts/Judiciary, Government, General Assembly, Public Records and Open Meetings, State Agencies, State Government, Executive, Local Government

H 1115 (2019-2020) **RETIREMENT ALLOWANCE BENEFICIARY FLEXIBILITY**. Filed May 14 2020, *AN ACT TO ALLOW FOR THE REVOCATION OF A RETIREMENT ALLOWANCE BENEFICIARY AND A NEW NOMINATION TO BE MADE AT ANY TIME.*

Amends GS 135-5(g), concerning member election of optional allowance under the Teachers' and State Employees' Retirement System. Makes organizational changes to establish subdivisions. Moves existing language to clarify that a member is prohibited from changing the member's retirement benefit option after the member has cashed the first retirement check or after the 25th day of the month following the month in which the first check is mailed, whichever is earlier, except as provided. No longer provides for election until the date the first payment becomes normally due or until the member's first retirement check has been cashed; removes and replaces this language in the provisions governing revocation of nomination when a nominated person dies under specified elected Options, and instead mirrors the new standard limitation language. Adds a new provision to allow for the nomination of a person under Option, 2, 3, 5, or 6, to be revoked by the member and a new nomination made within 10 years of the member's date of retirement. Makes a new nomination under this provision effective on the first day of the month in which it is made and provides for the retirement allowance computed to be the actuarial equivalent of the retirement allowance in effect immediately prior to the effective date of the new nomination. Removes the limitation language from the provision concerning revocation of a nomination of a spouse following divorce under specified elected Options. Makes further conforming and clarifying changes.

Applies to all benefit option elections or nominations made on or after the date the act becomes law, including benefit option change requests and nomination change requests made by members already receiving retirement allowances that are received

on or after that date.

Intro. by Fisher.

GS 135

[View summary](#)

**Employment and Retirement, Government, State
Government, State Personnel**

H 1116 (2019-2020) **ENHANCING ACCESSIBILITY TO TEACHER PROF. DEV.** Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO PROVIDE ADDITIONAL PROFESSIONAL DEVELOPMENT COURSES FOR TEACHERS.*

Includes whereas clauses. Adds to the duties of the State Board of Education (State Board) set out in GS 115C-12 to require the State Board to offer at least five professional development courses for teachers in local school administrative units. Requires consultation with the Professional Educator Preparation and Standards Commission. Requires each course to be based on at least one of the three specified instructional models, which include: (1) instructor-led, asynchronous learning with live class sessions with enrollment limited to 25 to 35 participants; (2) self-paced, asynchronous learning, with enrollment permitted to exceed 35 participants; and (3) office hours and question and answer sessions limited to 15 minutes.

Appropriates \$350,310 in nonrecurring funds from the General Fund to the Department of Public Instruction for the 2020-21 fiscal year to develop and implement the professional development courses, including costs for on-site equipment and personnel, registrations, technical support, and hosting fees.

Reenacts and incorporates by reference the provisions of GS Chapter 143C, the State Budget Act. Provides for the continued validity of any 2019 legislation expressly appropriating funds to an agency, department or institution covered under the act unless expressly repealed or amended by the act. Provides that this act supersedes any conflicting provision of HB 966 (Appropriations Act of 2019) or the specified Committee Report if that act becomes law.

Effective July 1, 2020.

Intro. by Ball, Elmore, Hunt, Russell.

APPROP, GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Employment and Retirement, Government,
Budget/Appropriations, State Agencies, Department of Public
Instruction, State Board of Education**

H 1117 (2019-2020) **PROTECT CHILD CARE WORKERS/COVID-19 PANDEMIC.** Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO ADDRESS ADDITIONAL CHILD CARE PROVIDER NEEDS IN RESPONSE TO THE COVID-19 PANDEMIC.*

Requires the State Controller to transfer \$121,396,240 for 2019-20 from the Coronavirus Relief Reserve (Reserve) to the Coronavirus Relief Fund (Relief Fund). Appropriates that same amount from the Relief Fund to the Division of Child Development and Early Education in nonrecurring funds for 2019-2020 to assist in addressing child care provider needs related to COVID-19. Allocates the funds in the specified amounts for: (1) increased bonuses for child care teachers and staff providing care during the pandemic; (2) health and sanitation supplies, personal protective equipment, and deep cleaning services for child care programs in response to COVID-19; (3) out-of-pocket costs for COVID-19 testing for a child care provider or a child in a child care facility at which another child care provider or child has tested positive; and (4) an additional 52 local child health consultants, to ensure statewide coverage and one FTE State-level supervisor. Allows any funds remaining on June 30, 2020, to be carried forward to 2020-21.

Appropriates \$16.2 million in nonrecurring funds for 2020-21 from the General Fund to the Division of Child Development and Early Education to provide funding for two weeks of paid sick leave for child care teachers and staff providing child care during the pandemic. Requires payment for two weeks of sick leave at 100 percent of the teacher or staff person's current wages, with part-time employees receiving an amount equivalent to the wages the individual would typically earn over a two-week period. Effective July 1, 2020.

Requires the Division of Child Development and Early Education to report to the specified NCGA committees and division by March 1, 2021, on the use of the appropriated funds.

Intro. by von Haefen, Belk, Fisher, Hunt.

APPROP

[View summary](#)

Education, Preschool, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare

H 1118 (2019-2020) **STUDY ON FIXED IN-STATE TUITION PLAN FOR UNC.** Filed May 14 2020, *AN ACT TO STUDY THE IMPACT OF ESTABLISHING A REDUCED FIXED FOUR-YEAR TUITION PLAN FOR CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO APPROPRIATE FUNDS TO CONDUCT THE STUDY.*

Requires the Friday Institute for Educational Innovation at NC State University (The Friday Institute) to study the impact of establishing an in-state tuition rate for undergraduate students at the constituent institutions of The University of North Carolina, other than those participating in the NC Promise Tuition Plan, at a fixed rate of \$2,500 per semester for four academic years of continuous student enrollment. Sets out seven issues that must be considered in the study, including the economic impact on families and undergraduate students to have an opportunity to attend a constituent institution under the plan, including reduction of student loan debt and long-term financial benefits, the economic impact on enrollment at constituent institutions by each institution and the corresponding effect on their budgets, and the sustainable cost for campuses that are already near or at the tuition rate of \$2,500 per semester for a four-year period. Requires a report on the results of the study to the specified NCGA committees and division by February 1, 2021.

Appropriates \$100,000 in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to The Friday Institute to conduct the study.

Effective July 1, 2020.

Intro. by Hawkins.

APPROP, STUDY

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System

H 1119 (2019-2020) **FOOD WASTE REDUCTION ACT.** Filed May 14 2020, *AN ACT TO ENACT THE FOOD RECOVERY AND RECYCLING ACT.*

Adds new Part 9, Food Donation and Food Scrap Recycling, to Article 9 of GS Chapter 130A, providing as follows. Requires all designated food scrap generators to separate their excess edible food for donation for human consumption to the maximum extent possible and in accordance with applicable food donation laws and rules. Defines *designated food scrap generators* as a person who generates at a single location an annual average of two tons per week or more of food scraps based on a methodology established by the Department of Environmental Quality (DEQ) by rule, including supermarkets, large food service businesses, higher educational institutions, hotels, food processors, correctional facilities, and sports or entertainment venues.

Requires each designated food scraps generator that is within 25 miles of an *organics recycler* (as defined), to the extent that the recycler has capacity to accept all of the food scraps, to: (1) separate all food scraps remaining after meeting the requirements above from other solid waste; (2) ensure proper storage for food scraps on site; (3) have information available and provide training for employees on proper methods to separate and store food scraps; and (4) obtain a transporter that will deliver food scraps to an organics recycler, self-haul its food scraps to an organics recycler, or provide for organics recycling on-site for some or all of the food waste generated on premises, provided that the remainder is delivered to an organics recycler. Sets out exceptions for any designated food scraps generator that has all of its food scraps processed in a composting

facility permitted by DEQ to accept the kinds of food scraps generated by the designated food scraps generator. Defines *food scraps* as inedible food, trimmings from the preparation of food, and edible food that is not donated, excluding used cooking oil, grease, or food from residential sources, or any food subject to a recall or seizure due to the presence of pathogens.

Requires food scraps generators to report electronically to DEQ annually beginning October 1, 2023, on the amount of edible food donated, amount of food scraps recycled, the organics recycler and associated transporters used, and any other required information.

Allows a food scraps generator to petition DEQ for a temporary waiver of the requirements of the Part due to undue hardship; sets out four grounds for undue hardship. Limits the duration of the waiver to one year, but allows the waiver to be renewed.

Requires waste transporters to dispose of the food scraps by delivery: (1) to a transfer facility that will deliver the scraps to an organics recycler unless the generator has received a waiver or (2) directly to an organics recycler. Requires a waste transporter to take reasonable precautions to not deliver the scraps to an incinerator or landfill or to commingle the scraps with any other solid waste.

Requires a transfer facility that receives the food scraps to ensure they are taken to an organics recycler unless the generation has a waiver; also requires taking precautions to not commingle with other solid waste.

Requires incinerators and landfills to take reasonable precautions to not accept food scraps from generators required to send the scraps to an organics recycler.

Requires DEQ to annually assess, starting no later than January 1, 2022, capacity of each organic recycler and notify designated food scraps generators if they are required to comply with the scrap diversion requirements during the next fiscal year. Requires DEQ to keep a list of all scraps generators, organics recyclers, and waste transporters on its website. Requires the development of educational materials. Requires DEQ to regulate organics recyclers. Requires DEQ to adopt rules or amend existing rules necessary to implement this Part.

Excludes from this Part hospitals, nursing homes, adult care facilities, local school administrative units, charter schools, regional schools, and other schools operated by the State Board of Education.

Requires DEQ to report annually, beginning no later than October 1, 2023, to the Environmental Review Commission on the program, including specified information.

Makes conforming changes to GS 130A-309.10.

The above provisions are effective January 1, 2022.

Appropriates \$200,000 in recurring funds and \$50,000 in nonrecurring funds for 2020-21 from the General Fund to DEQ, to be allocated to the Division of Waste Management and the Division of Environmental Assistance and Customer Service to implement the act. Allows DEQ to establish up to four FTE positions. Effective July 1, 2020.

Includes a severability clause.

Intro. by Hawkins.

APPROP, GS 130A

[View summary](#)

Environment, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health

H 1120 (2019-2020) [UNC/CC/HUNGER FREE CAMPUS INITIATIVE](#). Filed May 14 2020, *AN ACT TO ESTABLISH THE HUNGER FREE CAMPUS INITIATIVE AND TO APPROPRIATE FUNDS FOR THE INITIATIVE*.

Requires the UNC Board of Governors and the State Board of Community Colleges to establish the Hunger Free Campus Initiative (Initiative) at UNC constituent institutions and community colleges under the jurisdiction of the State Board of Community Colleges, in order to address student hunger and food insecurity. Allows constituent institutions and community colleges to use the funds made available to them under this act to establish new programs, expand on existing programs, and

use community resources on their campuses. Also allows funds to be used to provide basic needs and other essential resources to students vulnerable to food insecurity.

Requires settings goals for constituent institutions and community colleges receiving funds to be designated as "hunger free campuses" and to implement at least the following: (1) designate a campus employee to help ensure that students have information necessary to enroll in campus meal plans (for constituent institutions) or locate other meal options and resources, (2) provide for an on-campus food pantry or regular food distributions on campus, and (3) designate a campus employee as a point of contact to work with student volunteers. Additionally requires constituent institutions to establish or enhance existing meal-sharing programs that allow students to voluntarily donate their unused meal plan credits to be distributed for use by students in need to access dining halls or to support an on-campus food pantry; requires that the parameters of the meal-sharing program be made publicly available, including the specified information.

Appropriates \$1.6 million in recurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to each constituent institution in the amount of \$100,00 each fiscal year to implement the act. Excludes the NC School of Science and Math.

Appropriates \$5.8 million in recurring funds for 2020-21 from the General Fund to the Community Colleges System Office to be allocated to each community college campus in the amount of \$100,000 each fiscal year to implement the act.

Effective July 1, 2020.

Intro. by Hawkins.

APPROP, UNCODIFIED

[View summary](#)

Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Health and Human Services, Health, Public Health, Social Services, Public Assistance

H 1122 (2019-2020) **PROVIDE AFFORDABLE BROADBAND ACCESS TO NC.** Filed May 14 2020, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS REGARDING BROADBAND DEPLOYMENT AND ACCESS IN THE STATE.*

Includes whereas clauses.

Authorizes the Department of Information Technology (DIT), in consultation with the Department of Public Instruction (DPI), to establish and administer a pilot Homework Gap Grants program (program) to provide Internet access to students and teachers who do not have or cannot afford home Internet service. Provides for the Broadband Infrastructure Office (BIO) of DIT to work with DPI to initiate the one-year program. Directs for grants to be provided to Local Education Agencies (Agencies) to purchase equipment and services for student and teacher use, and to provide wifi on school buses.

Allocates funds appropriated by the act in specified amounts (1) to provide grants to agencies to purchase equipment and mobile service for school bus wifi, (2) for grant administration and research on the homework gap, (3) for a third-party evaluation of the program and its progress, and (4) for mobile service testing. Requires DIT to transfer necessary funding to DPI upon approval of a Local Education Agency's grant request.

Directs the BIO to develop a strategy to support the affordability of broadband service, as specified. Requires DIT to negotiate with wireless providers to lower monthly subscriptions rates for mobile hotspots and to establish convenience contracts Agencies can use to purchase equipment and services for the program.

Directs the BIO, in consultation with DPI, to establish qualifying grant criteria, as specified, with implementation beginning no later than the 2021-22 school year.

Directs the BIO to collect data on the impact of the program, including the number of students and teachers impacted, the number of buses equipped, and the cost or cost range of services.

Requires the BIO to report to the specified agency and NCGA committees and division by January 1, 2022, and include specified information in the report.

Directs the State Chief Information Officer (State CIO), in conjunction DPI and a third-party evaluator, to prepare a plan by June 1, 2021, to bridge the homework gap. Details required components of the plan, including information regarding the size and scope of the gap throughout the state.

Part II

Repeals SL 2019-230, Section 7(a) and (b), which transferred \$15 million in funds to the GREAT Fund for each fiscal year from 2019-20 through 2028-29.

Amends GS 143B-1373, which establishes and governs the Growing Rural Economies with Access to Technology (GREAT) program. Adds the defined terms *low-cost service offering* and *underserved area*. Amends the scoring model used for applications to eliminate multipliers for minimum download and upload speeds of at least 10:1 Mbps and up to 25:3 Mbps. Changes the score multiplier for the following minimum download and minimum upload speeds: 1.00 multiplier (rather than 1.35) for 25:3 Mbps. up to 100:10 Mbps.; and 2.00 multiplier (rather than 1.75) for 100:10 Mbps. or greater speeds. Eliminates the grant cap for a single award and eliminates the limitation of no more than one grant per fiscal year for a project in any one eligible economically disbursed county. Adds a new requirement to award three scoring points to any project application that will offer a low-cost service offering, as defined, to cost no more than \$15 monthly with speeds of at least 25:3 Mbps for downloads and uploads, for a qualified low-income household or which accepts Lifeline support in the project area.

Part III

Amends GS 62-2 to no longer deem broadband services provided by public utilities to be sufficiently competitive and prohibit regulation by the NC Utilities Commission (Commission).

Amends GS 62-3 to amend the definition set forth for *broadband service* to now define the term to mean any service that consists of or includes a high-speed access capability to transmit at a rate of not less than the current threshold for broadband service established by the FCC (rather than a specified, numerical threshold under current law).

Amends Section 8.14 of SL 2015-241 to make the described public school cooperative purchasing agreements available for public and private libraries and regional library systems. Requires each agreement to be based on a defined statewide information technology need to support education in the public schools and public libraries (was, only public schools).

Amends GS 153A-349.60 to more generally authorize counties to provide grants to unaffiliated qualified private providers of highspeed Internet access service to expand service in the county (rather than limited to the expansion of service to unserved areas for economic development in the county). Authorizes counties to use State or federal grants or loans for the grants (previously, limited to unrestricted general fund revenue).

Part IV

Enacts new GS 58-50-310 to require every health benefit plan offered by an insurer in this State to provide coverage and reimbursement for virtual health care, as defined. Requires reimbursement for consultations via virtual health care to be equivalent for the reimbursement for the same service provided in person. Prohibits an insurer from requiring prior authorization for *telehealth*, as defined, or virtual health care services. Prohibits a health benefit plan from limiting the originating site or the distant site for telehealth or virtual health services. Requires health benefit plans to reimburse physical therapy, occupational therapy, and speech therapy delivered through telehealth. Allows a health benefit plan to require a deductible, co-payment, or coinsurance for a covered health care service delivered by telehealth by a preferred or contracted provider, in the same manner as services face-to-face. Requires health benefits plans to reimburse providers for a covered health care service delivered by telehealth at a level no less than that had the service been provided face-to-face.

Effective January 1, 2021.

Part V

Enacts GS 153A-458 and GS 160A-499.5, authorizing counties and cities to construct facilities or equipment of a broadband service for the purpose of leasing the facilities or equipment in accordance with GS 160A-272, to one or more lessees who are not a governmental unit. Authorizes boards of commissioners and cities to use ad valorem taxes, grants, or any other unrestricted funds in exercising authority granted under the statute. Details four requirements that a county or city must satisfy before beginning construction: conducting a feasibility study; adopting a resolution at a regular meeting, which had 10 days' public notice, stating the intent to construct and lease the facilities or equipment; notifying the Local Government Commission

of any commitment to expend funds for construction over more than one fiscal year; and notifying the State Chief Information Officer, or their designee, of the location and type of facilities or equipment constructed.

Adds building facilities and equipment of broadband services to the purposes for which counties and cities may levy property taxes under GS 153A-149 and GS 160A-209. Effective for taxable years beginning on or after July 1, 2020.

Amends GS 159-81 to authorize facilities or equipment of broadband services for the purpose of leasing the facilities or equipment in accordance with GS 160A-272 to be revenue bond projects.

Amends GS 160A-272, concerning the lease or rental of city property. Current law limits the term of such lease or rental to 10 years, with leases for terms of more than 10 years treated as a sale of property. Removes the specification that the notice of a city council's intent to authorize the lease or rental of city property state that the proposed resolution will be at its next regular meeting. Now provides for a city council to approve a lease beyond ten years without treating the lease as a sale of property if the lease is for the operation and use of any facilities and equipment of a broadband service for a term up to 25 years (previously, for the operation and use of components of a wired or wireless network for a term of up to 25 years, and provided certain restrictions). Further, now provides for any lease by a city of any duration for facilities and equipment of broadband service to satisfy four requirements, including inviting and advertising proposals by newspaper or electronically, as specified. Authorizes proposals to be rejected for any reason determined by the governing body to be in the best interest of the city. Additionally, does not require a city to submit to its voters the question of whether to enter into a lease of part of a city-owned public enterprise to be operated and used as facilities or equipment of broadband service. Maintains and reorganizes the provision requiring periods that can be added to the original term of the lease or rental period by options to renew or extend to be included in determining the term of a proposed lease for purposes of the statute. Makes clarifying changes. Applies to leases entered into on or after July 1, 2020.

Amends GS 160A-340.2 to exempt facilities and equipment of a broadband service constructed by a city for the purpose of leasing the facilities and equipment in accordance with GS 160A-272 from the provisions of Article 16A, Provision of Communications Service by Cities.

Adds to GS 143-128.1C concerning public-private partnership construction contracts, to specify that "public-private project" includes a capital improvement project undertaken for the benefit of a city or county that includes construction of facilities or equipment of a broadband service in conjunction with, or as part of, another construction project undertaken by the city or county.

Effective July 1, 2020.

Part VI

States legislative findings concerning barriers to universal broadband access across the state and smart meter systems. Directs the Commission to issue requests for proposals (RFPs) for contracts with entities in the network or telecommunications sectors necessary to establish a statewide Universal Broadband Smart Meter program (program) with five specified components, including (1) last mile connectivity solutions to bridge the gap between existing infrastructure and unserved or underserved users, as well as (2) funding drawn from resale by the electric public utility's share of energy savings created by the installation and use of smart meter systems. Directs the Commission to execute a contract with a firm chosen from the RFPs and oversee the contract's fulfillment.

States legislative intent for ongoing program costs to be funded by electric public utilities based on energy savings achieved through the program's implementation. Requires the Commission to demand the utilities to expend remaining avoided cost-savings on enhancements to its transmission and distribution networks to increase energy efficiency and on development of alternative energy sources to provide lower cost and more efficient power.

Amends GS 136-18 to grant the Department of Transportation (DOT) the authority to construct conduits for telecommunication cable in the State right-of-way, with construction costs borne through the leasing of the conduit to private companies if permitted by law. Creates the Conduit Installation Account as a nonreverting account in the Highway Trust Fund to receive revenues from leasing, with DOT charged with administration of the account, and funds use limited to the described conduit construction.

Enacts GS 136-44.18 to require DOT to include conduit installation in its planning for new roads and existing road improvements if (1) less than 50 percent of households in the county where the road is located have access to highspeed data or

telecommunications services and (2) a provider of highspeed data and telecommunications services provides DOT with a letter indicating interest in leasing the conduit at any time within five years of project completion.

Directs DOT to report to the specified NCGA committee by May 1, 2021, and annually thereafter, on the conduit installation progress, with specified required content included.

Part VII

Appropriates \$35 million in nonrecurring funds and \$50 million in recurring funds from the General Fund to the GREAT Fund for the 2020-21 fiscal year. Sunsets the recurring appropriation after the 2022-23 fiscal year.

Appropriates \$5 million in nonrecurring funds from the General Fund to DIT for the 2020-21 fiscal year to implement Parts I and II of the act.

Part VIII

Effective July 1, 2020.

Intro. by Queen, Russell, Brewer, Hunt.

[APPROP, GS 58, GS 62, GS 136, GS 143, GS 143B, GS 153A, GS 159, GS 160A](#)

[Business and Commerce, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Information Technology, Department of Public Instruction, Department of Transportation, Local Government, Health and Human Services, Health, Health Insurance, Public Enterprises and Utilities, Transportation](#)

[View summary](#)

H 1123 (2019-2020) [STUDY OF RETENTION OF K-12 TEACHERS](#). Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE TEACHER RETENTION TASK FORCE AND TO REVISE THE STATE OF THE TEACHING PROFESSION REPORT.*

Part I

Creates the 15-member Teacher Retention Task Force (Task Force) within the Department of Public Instruction (DPI). Details membership and requires appointments to be made by August 1, 2020. Directs the Task Force to study six issues, including methods for improving teacher retention and local school administrative units with the highest teacher recoupment rates, and any other issue deemed relevant. Provides for the appointment of cochairs, Task Force powers, meetings and member expenses. Requires Task Force meetings to begin by September 1, 2020. Directs a final report to be submitted to the specified NCGA committee by September 1, 2021, with filing details specified. Terminates the Task Force on the earlier of September 1, 2021, or the filing of the final report.

Part II

Amends GS 115C-299.5 to require the State Board of Education to include in its annual report regarding the state of the teaching profession, data from the Teacher Working Conditions Survey and recommendations for improving teacher retention.

Part III

Appropriates \$10,000 in nonrecurring funds from the General Fund to DPI for the 2020-21 fiscal year to support the Task Force.

Reenacts and incorporates by reference the provisions of GS Chapter 143C, the State Budget Act. Provides for the continued validity of any 2019 legislation expressly appropriating funds to an agency, department or institution covered under the act unless expressly repealed or amended by the act. Provides that this act supersedes any conflicting provision of HB 966 (Appropriations Act of 2019) or the specified Committee Report if that act becomes law.

Effective July 1, 2020.

Intro. by Ball, Hardister, von Haefen, Willingham.

APPROP, STUDY, GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, State Board of Education

H 1124 (2019-2020) **FUNDING FOR NC HOUSING TRUST FUND**. Filed May 14 2020, *AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE NORTH CAROLINA HOUSING TRUST FUND*.

Appropriates \$100 million in nonrecurring funds from the General Fund to the NC Housing Trust Fund for the 2020-21 fiscal year for purposes provided in GS Chapter 122E, the NC Housing Trust and Oil Overcharge Act. Effective July 1, 2020.

Intro. by Montgomery, Holley.

APPROP

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, Health and Human Services, Social Services, Public Assistance

H 1125 (2019-2020) **WSSU/ONLINE EDUCATION/CARES ACT FUNDS**. Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS FROM THE CORONAVIRUS RELIEF FUND TO WINSTON-SALEM STATE UNIVERSITY TO SUPPORT INFRASTRUCTURE FOR MOVING TO ONLINE COURSES TO RESPOND TO THE IMPACT OF COVID-19 ON ITS STUDENTS*.

Appropriates \$4 million in nonrecurring funds from the Coronavirus Relief Fund, as defined, to Winston-Salem State University (WSSU) for 2019-20 to support necessary infrastructure for the university to move to online education for its students in response to the impacts of COVID-19. Restricts use of funds for necessary eligible expenditures incurred during the period beginning March 1, 2020, and ending December 30, 2020. Specifies that the funds remain available until December 30, 2020. Directs WSSU to report to the specified NCGA committees and division on its use of the funds by February 1, 2021.

Intro. by Montgomery, Terry.

APPROP

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management

H 1126 (2019-2020) **ENABLING OPPORTUNITY SCHOLARSHIP REPORTING**. Filed May 14 2020, *AN ACT TO REQUIRE THE ADMINISTRATION OF A COMMON EXAMINATION TO A SAMPLE OF CERTAIN NONPUBLIC AND PUBLIC STUDENTS FOR THE PURPOSES OF ENABLING OPPORTUNITY SCHOLARSHIP GRANT PROGRAM REPORTING AND TO PROVIDE FOR FUNDS FOR THE EVALUATION*.

Amends GS 115C-562.2 to require an eligible student awarded an opportunity scholarship grant to attend a nonpublic school to participate, if selected, in administration of a common examination selected by the State Education Assistance Authority (Authority) for program evaluation purposes, in order to maintain eligibility for receipt of the scholarship grant.

Amends GS 115C-562.5 to require nonpublic schools that accept eligible students receiving opportunity scholarship grants to (1) administer or allow administration of a common examination to those students selected for purposes of program evaluation, and (2) provide to the Authority grade retention rates for students receiving scholarship grants and grade retention rates for the total number of students enrolled.

Amends GS 115C-562.7 to require the Authority to annually report to the specified NCGA committees on the evaluation of the opportunity scholarship grants as required by GS 115C-562.7A, as enacted. Eliminates previous reporting requirements of the Authority concerning scholarship grants.

Enacts GS 115C-562.7A to require the Authority to select an independent research organization to conduct research for the reporting required under GS 115C0562.7(c), as amended. Requires the Authority to select a common test to be used for scholarship grant evaluations. Requires the Authority to provide information to the organization to establish student samples. Details the information the organization is required to research and report to the Authority concerning learning gains and losses of students receiving scholarship grants, and competitive effects on public school performance on standardized tests as a result of the scholarship grant program (similar to the reporting requirements eliminated from GS 115C-562.7 by the act). Details student sample selection requirements and evaluation. Provides for schools to provide the organization with test results if a selected student has otherwise been administered the common test in that school year. Requires DPI and the Authority to provide aggregate test information for nonpublic and public students to the organization upon request. Deems all personally identifiable student information confidential and not public record.

Amends GS 115C-174.11 to mandate that DPI require local boards of education to participate in the administration of the common test for purposes set out in new GS 115C-562.7A. Adds that the testing should be conducted with the smallest sample size necessary to ensure valid comparisons.

The above provisions apply beginning with the 2020-21 school year.

Amends GS 115C-562.8 to allow the Authority to retain 4% of funds appropriated to award scholarship grants or \$2.15 million each fiscal year for administrative costs for the scholarship program (was, up to 4% of the funds appropriated or \$1.5 million). Adds a new requirement for the Authority to use up to \$150,000 each fiscal year to cover expenses related to the selection of an independent research organization for program evaluation under new GS 115C-562.7A. Effective July 1, 2020.

Makes a conforming reporting deletion in Section 8.29 of SL 2013-360.

Requires the Authority to select an independent research organization beginning with the 2020-21 school year, with the first learning gains report required under GS 115C-562.7, as amended, due December 1, 2021.

Repeals Section 8A.11 of HB 966 (Appropriations Act of 2019) if that act becomes law.

Requires a nonpublic school enrolling a student receiving an opportunity scholarship grant for the 2020-21 school year to provide the Authority with data on grade retention required under GS 115C-562.5(a)(4b), as enacted, for the 2017-18, 2018-19, and 2019-20 school years.

Intro. by Ball, Fisher, Meyer.

GS 115C

[View summary](#)

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

H 1127 (2019-2020) **UNC STUDENT LEASE HOLD HARMLESS**. Filed May 14 2020, *AN ACT TO PROVIDE ASSISTANCE TO CERTAIN STUDENTS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM AND RESIDENTIAL LANDLORDS IMPACTED BY THE COVID-19 PANDEMIC*.

Establishes the COVID-19 Emergency Grant Program for Postsecondary Students (program). Allows for program grants to be used for up to 70% of a student's lease entered into for the 2020-21 school year, executed on or before March 15, 2020, so that the student's financial obligations towards rental lease obligations related to enrollment in a constitutions institution of UNC are partially covered.

Requires each constituent institution eligible for fund allocation under the act to begin accepting application from eligible postsecondary students by September 1, 2020. Eligibility requires documentation that the student is enrolled at the time of the application, the student has a financial need related to the impact of the COVID-19 pandemic, and the student entered into a

lease agreement on or before March 15, 2020, for rental property to reside due to the student's prospective enrollment in classes during any part of the 2020-21 school year.

Requires constituent institutions to award grants to eligible students within two weeks of the receipt of the application, or as soon as practicable, for up to 70% of the amount provided in the lease agreement. Allows for prioritizing applicants based on funds available, including priority to those with the greatest financial need, or awards on a first come first served basis.

Requires funds to be paid directly to the lessor listed in the lease agreement and requires the lessor accepting funds to hold the lessee harmless in the lease agreement in the event funds do not fully satisfy the financial obligations of the lease agreement.

Requires the University Ombuds Offices to facilitate the satisfaction of lease agreements as necessary.

Requires eligible students to take all reasonable steps to secure alternative funding for these purposes. Provides for remittance of the grant if the student obtains alternative funds. Restricts lessors to recovering no more than the amount obligated in the lease agreements. Requires funds obtained towards satisfaction of the financial obligations contained in the lease agreement to be remitted to the constituent institution.

Grants constituent institutions discretion in establishing additional eligibility criteria, but prohibits the UNC Board of Governors (BOG) from doing so.

Directs the State Controller to transfer \$50 million from the Coronavirus Relief Reserve to the Coronavirus Relief Fund (both established in SL 2020-4) for the 2019-20 fiscal year, and appropriates \$50 million in nonrecurring funds from the Reserve (intends the Fund) to the BOG to be allocated to constituent institutions to provide the grants.

Effective July 1, 2020.

Intro. by Russell.

APPROP, UNCODIFIED

[View summary](#)

Development, Land Use and Housing, Property and Housing, Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System

H 1131 (2019-2020) **TEACHER PIPELINE DEVELOPMENT**. Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO IMPROVE DEVELOPMENT OF THE TEACHER PIPELINE*.

Includes whereas clauses.

Appropriates \$75,000 in nonrecurring funds for 2020-21 from the General Fund to the Department of Public Instruction to be provided to the NC Foundation for Public School Children for the NC Teacher Cadet Program to be used for: (1) statewide curriculum training workshops for teachers with options for in-person and online ongoing support; (2) expansion of services in counties designated as Tier 1; and (3) continued development and training for persons in underrepresented teaching demographics, including cadets who are male and cadets who are persons of color.

Provides that the provision of the State Budget Act are reenacted and incorporated into the act by reference.

Provides that except where expressly repealed or amended by this act, the provisions of other legislation enacted during the 2019 Regular Session expressly appropriating funds to an agency, department, or institution covered in this act, remain in effect.

Provides that if H966 (2019 Appropriations Act) becomes law and if there is a conflict with that act or the Committee Report, then this act controls.

Effective July 1, 2020.

Intro. by Ball, Clark, Garrison, Gill.

APPROP

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies,

Department of Public Instruction

H 1132 (2019-2020) [STUDY ON K-12 STUDENT RETENTION](#). Filed May 14 2020, *AN ACT TO DIRECT THE STUDY OF KINDERGARTEN THROUGH TWELFTH GRADE STUDENT RETENTION*.

Includes whereas clauses.

Establishes the Study on K-12 Student Retention (Study), to make findings and recommendations on the practice of student retention for grades K-12. Sets out five issues to be considered in the study, which is to be carried out by 20 members with relevant K-12 education expertise, to be appointed by the State Board of Education (Board) in accordance with specified qualification requirements. Requires appointments to be made by August 1, 2020. Requires the initial meeting to be on or before September 1, 2020. Sets out provisions for designating a chairperson, establishing a quorum, and staffing.

Requires the Study to report to the specified NCGA committee by December 31, 2021. Terminates the Study upon the earlier of December 31, 2021, or the filing of the final report.

Appropriates \$75,000 in nonrecurring funds for 2020-21 from the General Fund to the Department of Public Instruction for the administration of the Study.

Provides that the provision of the State Budget Act are reenacted and incorporated into the act by reference.

Provides that except where expressly repealed or amended by this act, the provisions of other legislation enacted during the 2019 Regular Session expressly appropriating funds to an agency, department, or institution covered in this act, remain in effect.

Provides that if H966 (2019 Appropriations Act) becomes law and if there is a conflict with that act or the Committee Report, then this act controls.

Effective July 1, 2020.

Intro. by Ball, Harris, Brockman.

[APPROP, STUDY](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction, State Board of Education](#)

H 1133 (2019-2020) [UI/FLEXIBILITY FOR INTERSTATE WORK](#). Filed May 14 2020, *AN ACT PROVIDING THE DIVISION OF EMPLOYMENT SECURITY WITH FLEXIBILITY IN DETERMINING THE ELIGIBILITY OF MULTISTATE WORKERS FOR UNEMPLOYMENT INSURANCE BENEFITS IN NORTH CAROLINA AND APPROPRIATING FUNDS TO STUDY BEST PRACTICES TO HANDLE CLAIMS BY THOSE WORKERS*.

Amends GS 126-15.01 to require that the Division of Employment Security (Division) exercise maximum flexibility when determining eligibility for unemployment insurance benefits for individuals who are employed in industries requiring them to work in this State and other states during a benefit year. Requires determinations to be made on a case-by-case basis.

Appropriates \$100,000 for 2020-21 from the General Fund to the Division to (1) study how to mitigate effects of working in multiple states during the benefit year that determines an individual's eligibility for unemployment benefits in this State; and (2) review the effect on employers of having employees work in states other than NC during the benefit year. Effective July 1, 2020.

Intro. by Autry, Jackson, Saine, Butler.

[APPROP, STUDY, GS 126](#)

[View summary](#)

[Business and Commerce, Employment and Retirement, Government, Budget/Appropriations, State Agencies,](#)

**Department of Commerce, Health and Human Services, Social
Services, Public Assistance**

H 1143 (2019-2020) **MODIFY TAX ON MARIJUANA PRODUCTS**. Filed May 14 2020, *AN ACT ENACTING THE NORTH CAROLINA MEDICAL CANNABIS ACT*.

Adds new Article 43, North Carolina Medical Cannabis Act, to GS Chapter 90. Provides legislative findings. Provides broad civil and criminal immunity for a "qualified patient" or a "designated caregiver" for purchasing or possessing cannabis for medical use if the quantity does not exceed an "adequate supply" for the patient as determined by his or her physician. Adequate supply is defined by the act to, among other things, (1) apply only to cannabis from an intrastate source and (2) limit permitted supply to an amount needed for a three-month period and not more than 24 ounces. Requires the Department of Health and Human Services (DHHS) to issue "registry identification cards" to persons who qualify as qualified patients or designated caregivers, and provides that a card creates a rebuttable presumption of permissible use if the person does not possess more than an adequate supply. Specifies conditions under which provisions of the act are applicable to minors. Prohibits a school, employer, or landlord from refusing to enroll, employ, or lease to, or to otherwise penalize, a person because of his or her status under the act or the permissible possession or use of cannabis. Also provides immunity and protection from penalties for licensed producers of medical cannabis and for physicians for conduct consistent with the act. Provides other protections relating to conduct of law enforcement, child custody or visitation, constructive possession, and the unauthorized substances tax.

The act does not permit a person to control a motor vehicle, aircraft, or motorboat while impaired by cannabis; undertake any task under the influence of cannabis that would constitute negligence or malpractice; or smoke cannabis in a school bus or on public transportation, on school grounds, in a correctional facility, or in any public place in the state. No government-sponsored medical assistance program or private health insurer is required by the act to cover costs of medical use of cannabis, and an employer is not required to accommodate use in the workplace. Makes fraudulent representation to law enforcement of any fact relating to medical use of cannabis to avoid arrest or prosecution a Class 2 misdemeanor punishable by a fine of up to \$500 and any other applicable penalty. Specifies criteria and procedures for DHHS issuance or renewal of registry identification cards and requires that DHHS maintain a confidential list of persons to whom cards are issued. Allows DHHS to verify for law enforcement whether a card is valid and to report to law enforcement about falsified or fraudulent information submitted to DHHS. Makes violation of the confidentiality provision a Class 1 misdemeanor, subject to a fine of up to \$1,000.

Directs the NC Medical Care Commission to adopt rules to implement the provisions regarding registry cards, establishing requirements for the issuance of registry identification cards to qualified patients and designated caregivers who meet certain minimum specifications. Requires the rules be adopted no later than 120 days after the effective date of the act.

Directs the Department of Agriculture and Consumer Services to establish a medical cannabis supply system to provide a safe, regulated supply of cannabis appropriate for medical use by qualified patients with a valid registry identification card and to generate revenue sufficient to maintain and operate the system. Prohibits use of appropriations from the General Fund to establish or operate the system, which must be funded by authorized fees. Establishes criteria for licensing of medical cannabis supply centers (for the sale of cannabis, cannabis-infused products, and related paraphernalia to qualified patients and caregivers holding a valid registry identification card), producers of medical cannabis, and producers of cannabis-infused products, as well as for suspending or revoking licenses. Requires the Department of Agriculture and Consumer Services to maintain a confidential list of licensees and specifies when it may release information to law enforcement. Requires the Board of Agriculture, in consultation with the Medical Care Commission, to adopt rules to implement the supply system, and provides for temporary rules in the interim. Specifies when medical use of cannabis may be asserted by qualified patients and caregivers as an affirmative defense to a criminal charge. Expresses the General Assembly's intent that the University of North Carolina system undertake scientific research regarding the efficacy and safety of the medical use of cannabis and, subject to approval by the UNC Board of Governors, directs the university to create the North Carolina Cannabis Research Program. Provides a severability clause. Directs the Department of Health and Human Services to issue temporary certificates for participation in the regulation medical supply system, as established, in the manner specified, and maintain a list of all temporary certificates issued. Makes conforming changes to GS 106-121 (definitions under Food, Drugs, and Cosmetics Act).

Amends GS 105-113.106 which sets out definitions of terms for unauthorized substances taxes, to add and define the term medical marijuana. Amends the definition of dealer to include (among others), a person who actually or constructively

possesses (1) more than 42.5 grams of marijuana that is not medical marijuana, or (2) medical marijuana. Amends GS 105-113.107 to levy an excise tax on dealers possessing controlled substances at a rate of \$8 for each ounce of either medical marijuana or synthetic cannabinoids used in place of medical marijuana, with additional charges for synthetic cannabinoids to be calculated based on the its strength. Makes a conforming change to GS 105-113.107A. Amends GS 105-113.108 to require medical marijuana dealers to provide the Secretary with their name, address, social security number, and phone number as well as specified information on persons to whom the dealer distributes medical marijuana. Places the burden of proof in establishing that the distributed marijuana was medical marijuana on the dealer.

Intro. by Montgomery.

[GS 90, GS 105, GS 106](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, UNC System, Department of Agriculture and Consumer Services, Department of Health and Human Services, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Public Health](#)

PUBLIC/SENATE BILLS

S 764 (2019-2020) [CTE PILOT FOR GUILFORD CO. SCHOOLS](#). Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO GUILFORD COUNTY SCHOOLS TO ESTABLISH AND OPERATE AN INNOVATIVE SIGNATURE CAREER ACADEMY PROGRAM IN ITS TRADITIONAL HIGH SCHOOLS*.

Establishes the Innovative Signature Career Academy Program (Program) as a pilot program in Guilford County Schools. Describes the Program as a pilot program to reform its career and technical education (CTE) program to better prepare its students for high-wage, high-skills careers with a focus on hosting signature career academies at traditional high schools that specialize in defined areas of CTE. Requires the Program to include six specified components in establishing signature career academies at high schools in the unit. Further requires the Program to include at least four but no more than six signature career academies. Provides the unit with flexibility to contract with individuals who have education and training related to the specific skills and careers that are the focus of a signature career academy. Subjects individuals with direct student contact to a criminal history check.

Requires Guilford County Schools to annually report to the Department of Public Instruction (DPI) every year of operation of the Program as a pilot, beginning by June 30 of the first school year of operation. Describes the required content of the report. Directs DPI to annually report to the specified NCGA Committee by every August 15 for the duration of the operation of the Program as a pilot. Permits the Program to operate for up to six school years as a pilot. Allows the local board, before the Program's expiration as a pilot, to apply for the Program to be included as an ongoing component of the CTE local plan submitted to the State Board pursuant to GS 115C-154.1. Specifies parameters regarding the Program becoming a component of the CTE local plan.

Appropriates from the General Fund to DPI \$1.5 million for 2020-21 and expresses the intent to appropriate the same for 2021-22 to be allocated to Guilford County Schools to establish and operate the Program.

Provides that if H966 (2019 Appropriations Act) becomes law, then Section 7.44 and the provision of the Committee Report in Section 42.2 are repealed.

Effective July 1, 2020.

Intro. by Garrett, Robinson.

[APPROP, Guilford](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction](#)

S 765 (2019-2020) **EDUCATION OMNIBUS**. Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO MAKE CHANGES TO CERTAIN EDUCATION LAWS RELATED TO ELEMENTARY AND SECONDARY PUBLIC SCHOOLS.*

Part I.

Requires the Department of Public Instruction (DPI) to study and make recommendations on raising salaries of noncertified public school employees to at least \$15 per hour. Sets out issues that must be considered in the study. Requires DPI to report on the study results to the specified NCGA committee by January 15, 2020.

Part II.

Amends Part II of SL 2018-2 to delay the phase in of the reduction in class sizes by one school year. Makes conforming delays in the teacher position allotment changes and in the restrictions on transfers for teacher position allotments. Also amends GS 115C-301(c2)(3) to delay the changes in the appropriation for program enhancement teachers.

Part III.

Effective from the date this act becomes law until June 30, 2020, allows local boards of education to transfer and approve transfers of any unexpended cash balance in an allotment category to another allotment category subject to the following, including limitations related to funds for career and technical education, funds for children with disabilities, students with limited English proficiency, and academically or intellectually gifted students categories. Prohibits transferring funds into the central office allotment category. Allows positions allocated for classroom teachers to be converted to dollar equivalents to contract for visiting international exchange teachers. Allows positions allocated for classroom teachers and instructional support personnel to be converted to dollar equivalents for any purpose authorized by the State Board of Education (SBOE). Allows funds allocated for school building administration to be converted for any purpose authorized by SBOE. Prohibits the transfer of funds to carry out the elements of the Excellent Public Schools Act. Allows Funds allotted for textbooks and digital resources to be used only to acquire textbooks and digital resources and related technology. Allows a local board of education to transfer the unexpended cash balance in the drivers education allotment category to another allotment category.

Effective July 1, 2020, for the 2020-21 fiscal year only, allows local boards of education to transfer and approve transfers of funds in an allotment category to another allotment category subject to the same limitations discussed above.

Part IV.

Appropriates an additional \$2.9 million from the Coronavirus Relief Fund to the Department of Public Instruction to hold in reserve and award as grants to public school units to support extraordinary costs associated with providing Extended School Year Services or future service for exceptional children who qualify for the services due to the impacts of COVID-19.

Part V.

Reenacts the provisions of the State Budget Act and incorporates them by reference.

Specifies that except where expressly repealed or amended, the provisions of any other legislation enacted during the 2019 Regular Session that expressly appropriate funds to an agency, department, or institution covered under this act, remain in effect.

Provides that if H 966 (2019 Appropriations Act) becomes law, and any provisions conflict with this act, then this act prevails.

Intro. by D. Davis.

APPROP, STUDY, GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Instruction, State Board of Education

S 766 (2019-2020) [REBUILD A BETTER NC BOND ACT](#). Filed May 14 2020, *AN ACT TO ENACT THE REBUILD A BETTER NC BOND ACT OF 2020*.

Titles the act as the Rebuild a Better NC Bond Act of 2019. States the act's purpose and legislative findings, and provides seven defined terms.

Subject to voter approval at the statewide election on November 3, 2020, authorizes the State Treasurer to issue and sell, either at one time or from time to time, general obligation bonds and notes up to \$3 billion, subject to consent of the Council of State. Restricts use of the proceeds of infrastructure improvement bonds and notes to projects for public instruction, community colleges, UNC, and for unit of local government. Sets out a procedure under which a committee will select the projects and funding amounts.

Concerning proceeds used for public instruction, requires that (1) no more than \$300 million be awarded to one local school administrative unit or project; (2) a county receiving bond proceeds provide local matching funds, with the amount of matching funds set account to which development tier it is located within; (3) the proceeds be used for acquisition of real property and construction, acquisition, reconstruction, enlargement, renovation, or replacement of buildings or structures, and to supplement local funds for public school capital outlay projects while not decreasing local funds for these projects from one fiscal year to the next.

Concerning proceeds used for local government infrastructure, requires that the Local Government Commission create a grant program with applications prioritized based on maximizing the use of the bond proceeds, age of the infrastructure, impact to the community, degree to which the local government has made expenditures to keep facilities in good working order, and the ability to raise and the degree to which the local government has raised revenue to cover foreseeable costs for public infrastructure. Caps the grant at \$300 million to one local unit or project. Sets out additional grant program requirements.

Concerning proceeds used for NC Community Colleges for new construction, repairs, and renovations, requires the proceeds be used for new construction or rehabilitation of existing facilities and repairs and renovations only. Requires all such purchases and replacements to have a useful life of at least 10 years and any renovation must extend the useful life of the facility at least 10 years. Requires matching of proceeds for new construction projects only at \$1 match for every \$3 of proceeds for projects in development tier one areas, \$1 match for every \$2 of proceeds for projects in development tier two areas, and \$1 match for every \$1 of proceeds for projects in development tier three areas.

Concerning proceeds used for projects selected for a constituent institution to be used for new construction or rehabilitation of existing facilities and repairs and renovation. Requires all such purchases and replacements to have a useful life of at least 10 years and any renovation must extend the useful life of the facility at least 10 years. Requires matching funds, but provides that matching is not required for rehabilitation of existing facilities and repairs and renovations. Caps awards at \$300 million to a constituent institution or one project.

Details the allocation and accounting of infrastructure improvement bond proceeds. Allows for investment by the State Treasurer and use of investment earnings as specified. Sets forth further parameters regarding use of proceeds with other available monies and disbursement. Requires the State Treasurer or a designee to set up a comprehensive system of tracking the proceeds to account for use and compliance. Allows the State Treasurer to withhold proceeds for not complying with tracking requirements.

Details the procedure and requirements for issuance of the improvement bonds and notes, including: required terms and conditions; required signatures, forms, and registration; the manner of sale and expenses; notes and repayment; refunding of bonds and notes; tax exemption; investment eligibility; faith and credit of the State pledged; and other agreements the State Treasurer can provide for bond insurance and other derivative products.

Provides for the variable rate demand authority of the State Treasurer of the bonds and notes and sets restrictions concerning the aggregate principal amounts payable by the State under a credit facility, as defined by the act.

Provides guidance for the act's interpretation, including that the act is meant to provide an additional or alternative financing method, statutory cross references may be amended, the act is to be construed broadly, the act supersedes other conflicting law; and the act's provisions are severable.

Requires that any funds from the Education Bond expended for public schools be reported to the Department of Public Instruction and be credited against the judgement in *N.C. Sch. Bds. Ass'n. v. Moore*.

Intro. by Chaudhuri, Garrett, deViere.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Local Government

S 767 (2019-2020) **COMBAT-INJURED VETERANS TAX FAIRNESS ACT**. Filed May 14 2020, *AN ACT TO EXTEND THE TIME PERIOD FOR FILING AN AMENDED RETURN FOR INCOME TAX LIABILITY AFFECTED BY THE COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016.*

States the act's purpose.

Allows a taxpayer who (1) is a veteran that was provided notice of an amount of improperly withheld severance payments and (2) filed an amended federal individual income tax return to recover the amount improperly withheld, to apply for a refund of the State individual income tax paid on the improperly withheld amount.

Requires the request for a refund to be made on or before October 15, 2022; requests after that date are barred.

Intro. by D. Davis.

UNCODIFIED

[View summary](#)

Government, Tax, Military and Veteran's Affairs

S 769 (2019-2020) **MUNICIPAL BROADBAND EXPANSION**. Filed May 14 2020, *AN ACT TO ENABLE LOCAL GOVERNMENTS TO EXPAND ACCESS TO BROADBAND FOR THE CITIZENS OF THIS STATE.*

Includes whereas clauses.

Amends GS 160A-321 to allow a city to lease a part of the city-owned public enterprise to be operated and used as a component of a wired or wireless network without a vote of the people. Makes any such lease subject to Article 12 (Sale and Disposition of Property).

Enacts new GS 153A-460 giving cities and counties authority to purchase, lease, construct, and operate facilities to support intragovernmental services for the city or county's internal governmental purposes; specifies that this includes wired or wireless network facilities.

Amends GS 143C-128.1C, concerning public-private partnership construction contracts, by adding that the term "public-private project" also includes a capital improvement project undertaken for the benefit of a city or county according to a development contract that includes construction of components of a wired or wireless network in conjunction with or as part of another of the city or county's construction projects. Specifies that this does not authorize a city or county to unilaterally provide high-speed internet broadband service, or specified types of related infrastructure.

Appropriates \$50,000 in nonrecurring funds for 2020-21 from the General Fund to the Department of Information Technology, Broadband Infrastructure Office, to assist local governments in planning and implementing broadband infrastructure expansion. Effective July 1, 2020.

Intro. by deViere, Searcy, Foushee.

APPROP, GS 143, GS 153A, GS 160A

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Information Technology, Local Government, Public Enterprises and Utilities

S 770 (2019-2020) [MIXED BEVERAGES PERMIT FEES/REIMBURSE PORTION](#). Filed May 14 2020, *AN ACT TO REIMBURSE A PORTION OF MIXED BEVERAGES PERMIT FEES PAID TO THE ALCOHOLIC BEVERAGE CONTROL (ABC) COMMISSION TO PERMITTEES WHOSE BUSINESS WAS IMPACTED BY THE COVID-19 OUTBREAK IN NORTH CAROLINA.*

Appropriates \$1.6 million in nonrecurring funds for 2019-20 from the General Fund to the Department of Public Safety for a one-time reimbursement of mixed beverages permits to permittees with an active mixed beverages permit as of March 1, 2020. Requires that, to the extent practicable, the amount reimbursed be only a pro-rata share for the months of March, April, and May of 2020, of the amount paid for mixed beverages permit applications or renewal fees. Specifies that the funds are to remain available to expend until June 30, 2021. Requires the ABC Commission to report by October 1, 2020, to the specified NCGA commission and division on (1) the amount of funds reimbursed, (2) the number of permittees reimbursed, (3) the amount each permittee received; and (4) if the funds appropriated in this act were insufficient to provide a pro-rata share, the amount of funds needed to do so.

Intro. by Garrett, Peterson, Chaudhuri.

[APPROP](#)

[View summary](#)

[Alcoholic Beverage Control, Government, Public Safety and Emergency Management, State Agencies, Department of Public Instruction](#)

S 772 (2019-2020) [DOMESTIC VIOLENCE VICTIMS SEPARATION WAIVER](#). Filed May 14 2020, *AN ACT TO WAIVE THE REQUIRED ONE-YEAR PERIOD OF SEPARATION FOR ABSOLUTE DIVORCE WHEN A PERSON IN THE MARRIAGE IS A VICTIM OF DOMESTIC VIOLENCE.*

Amends GS 50-6 to allow the victim of domestic violence committed by the victim's spouse to seek a divorce without having to meet the required one year separation period. Sets out information that must be included in the divorce application that substantiates the domestic violence. Makes organizational changes to the statute.

Appropriates \$15,000 for 2020-21 from the General Fund to the Governor's Crime Commission to implement an awareness campaign about this separation waiver. Effective July 1, 2020.

Applies to actions commenced on or after the date that this act becomes law.

Intro. by deViere, Foushee, Marcus.

[APPROP, GS 50](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law, Government, State Government, Executive](#)

S 773 (2019-2020) [UNIVERSAL LICENSE RECOGNITION ACT](#). Filed May 14 2020, *AN ACT TO PROVIDE A UNIVERSAL RECOGNITION PROCESS FOR LICENSURE, CERTIFICATION, OR REGISTRATION FOR INDIVIDUALS WHO ESTABLISH RESIDENCE IN THIS STATE.*

Enacts new GS 93B-15.7 to require an occupational licensing board to issue a license, certification, or registration to any applicant who establishes residence in this state, and satisfies all of stated nine conditions, including: (1) the applicant is currently licensed, certified, or registered in at least one other jurisdiction in the discipline applied for in this state at the same or substantially equivalent practice level; (2) the applicant has been licensed, certified, or registered by another jurisdiction for at least one year; (3) the applicant is in good standing in all jurisdictions in which the applicant holds a license, certification, or registration; and (4) the applicant does not have any active or pending disciplinary actions from an occupational licensing board in another jurisdiction, and, if applicable, the occupational licensing board has completed verification. Sets out actions the occupational licensing board must take when an applicant has any prior disciplinary actions from an occupational licensing board at the time of application. Requires online publication of criteria or requirements for licensing, certification, or registration of the required documentation. Specifies that the statute does not prevent any occupational licensing board in this state from entering into a reciprocity agreement with another jurisdiction, or invalidate any existing reciprocity agreement.

Provides that a license, certification, or registration granted by an occupational licensing board under this statute is valid only in this state and does not extend validity to other jurisdictions. Provides that any individual licensed, certified, or registered under this statute is entitled to the same rights and subject to the same obligations as individuals licensed, certified, or registered by an occupational licensing board in this state under any other provision of law. States that nothing in the statute prohibits an individual from proceeding under the existing licensure, certification, or registration requirements established by an occupational licensing board in this state.

Requires occupational licensing boards to report annually to the specified entities, beginning October 31, 2021, on the number of individuals who: applied for licensure, certification, or registration in accordance with this act; received licensure, certification, or registration in accordance with this act; and were denied licensure, certification, or registration in accordance with this act.

Applies to applications for licensure, certification, or registration received on or after December 1, 2020.

Intro. by Edwards, Wells, Sanderson.

[GS 93B](#)

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

S 774 (2019-2020) [PRISON SOCIAL DISTANCING AND REOPENING](#). Filed May 14 2020, *AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ADULT CORRECTION AND JUVENILE JUSTICE, TO DEVELOP A PLAN REGARDING PRISON DEPOPULATION, A PLAN REGARDING FUTURE RESPONSE EFFORTS FOR AN EMERGENCY RELATED TO THE CORONAVIRUS DISEASE 2019, AND A PROPOSAL AND COST ANALYSIS FOR THE CONTRACTED USE OF ODOM CORRECTIONAL INSTITUTION BY UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, AND TO APPROPRIATE FUNDS.*

Requires the Department of Public Safety, Division of Adult Correction and Juvenile Justice (Division), to develop: (1) a plan for the release to the community of offenders that are either serving a sentence for a nonviolent crime, suffering from a medical diagnosis that compromises the offender's immune system, near release, or juveniles; (2) a plan regarding future response efforts for an emergency related to the coronavirus disease 2019 (COVID-19); and (3) a proposal and cost analysis for the contracted use of Odom Correctional Institution as an ICE detention center to house detainees taken into custody in North Carolina.

Requires the Division to submit the plans and proposal required by Section 1 of this act to the specified NCGA committee by September 1, 2020.

Appropriates \$10 million in nonrecurring funds for 2020-21 from the General Fund to the Division for electronic monitoring services, community corrections staffing, and other costs associated with the release of offenders to the community under this act. Effective July 1, 2020.

Intro. by Smith, Foushee.

[APPROP, UNCODIFIED](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, Public Safety and Emergency Management, State Agencies, Department of Public Safety](#)

S 775 (2019-2020) [FUNDS/EST. BLACK WOMEN & GIRLS TASK FORCE](#). Filed May 14 2020, *AN ACT TO ESTABLISH THE NORTH CAROLINA BLACK WOMEN AND GIRLS TASK FORCE AND TO APPROPRIATE FUNDS FOR THE TASK FORCE.*

Adds new Part 31, North Carolina Black Women and Girls Task Force, in Article 9 of GS Chapter 143B, which provides as follows. Establishes the 13 member North Carolina Black Women and Girls Task Force (Task Force) within the Department of Administration (for budgetary purposes only). Sets out Task Force membership requirements and sets terms at 2 years, allowing successive terms. Provides for the selection of cochairs, filling of vacancies, removal of members, meetings, and

staffing. Makes the Task Force an advisory committee to study disaggregated findings concerning the well-being of cisgender and transgender black women and girls in the State. Requires the Task Force to examine five specified issues, including topics related to health and wealth disparities, educational justice principals, violence, impacts of the criminal and juvenile justice system, and the effects of political advocacy and engagement, employment, and healthcare. Requires the Task Force to report to the specified NCGA committees prior to the convening of the 2021 General Assembly and biennially thereafter. Specifies the required content of the report. Sunsets the new Part on September 30, 2030.

Requires appointments to the Task Force to be made by October 1, 2020 and for members terms to commence at that point.

Appropriates \$550,000 in recurring funds in each of the 2020-21 and 2021-22 fiscal years from the General Fund to the Department of Administration to be allocated for operation of the Task Force.

Effective July 1, 2020.

Intro. by Smith, Murdock.

[APPROP, STUDY, GS 143B](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Administration, Health and Human Services, Health, Public Health

S 776 (2019-2020) [COVID-19 SMALL FARMER RELIEF](#). Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO SUPPORT INNOVATIVE FOOD SUPPLY CHAIN INITIATIVES*.

Sets out NCGA findings.

Requires the State Controller to transfer \$2 million for 2019-20 from the Reserve established in Section 2.1 of SL 2020-4 to the Coronavirus Relief Fund (Fund); appropriates those funds from the Fund to the UNC Board of Governors on a nonrecurring basis to be allocated to NC State University for the Food Processing Innovation Center (Center). Provides that the funds remain available to expend until December 30, 2020. Allows the funds to be used for equipment, supplies, and other nonrecurring expenses related to the Center's instant quick freeze research program and for initiatives related to the processing, preservation, and storage of food during emergencies that adversely impact the food supply chain. Provides that if the allocation of funds is disallowed by federal law, the disallowed allocation is repealed, and the funds must be transferred back to the Reserve.

Appropriates \$5 million in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors, to be allocated to NC A&T State University for the College of Agriculture and Environmental Sciences Extension and Farm Pavilion.

Requires the Department of Agriculture and Consumer Services to establish partnerships to bring together nonprofit organizations that connect small family farms to food banks and to retail farmers markets and associated local Cooperative Extension Service offices. Requires the partnership to work to limit crop and livestock losses from supply chain interruptions due to COVID-19 and natural disasters.

Amends GS 105-153.5 to allow a taxpayer to deduct from the taxpayer's adjusted gross income up to \$100,000 of income that is derived from agricultural land, and appraised, assessed, and tax in accordance with GS 105-277.3 (Agricultural, horticultural, and forestland). Effective for taxable years beginning on or after January 1, 2020, and expires for taxable years beginning on or after January 1, 2021.

Intro. by Smith, Foushee, deViere.

[APPROP, GS 105](#)

[View summary](#)

Agriculture, Government, Budget/Appropriations, State Agencies, UNC System, Department of Agriculture and Consumer Services, Tax

S 777 (2019-2020) [RESTRAINT PROHIBITION AND I WILL ACT](#). Filed May 14 2020, *AN ACT TO CODIFY THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY POLICY THAT PROHIBITS THE RESTRAINT OF PREGNANT PRISONERS AND DETAINEES, TO ENACT THE INCARCERATED WOMEN INTERESTED IN LEARNING AND LIVING ACT TO PROVIDE FOR MAMMOGRAMS FOR INCARCERATED WOMEN, AND TO APPROPRIATE FUNDS.*

Enacts new Article 87, Treatment of Pregnant Prisoners and Detainees, in GS Chapter 15A, providing as follows. Sets out and defines terms used in the Article. Prohibits a correctional institution from using restraints on a prisoner or detainee known to be pregnant, including during labor, transport to a medical facility, delivery, postpartum recovery, and the postpartum period, unless the corrections official makes an individualized determination that the prisoner or detainee presents an extraordinary circumstance. Prohibits the use of leg or waist restraints on any prisoner or detainee who is in labor or delivery in any circumstances. Provides that if a health professional treating the prisoner or detainee requests that restraints not be used, the corrections officer must immediately remove all restraints. Sets out requirements for types of restraints to be used and required findings that are to be made in instances when restraints are used. Requires correctional facilities to inform all prisoners and detainees within the facilities' custody of the Article's provisions. Effective October 1, 2020.

Appropriates \$250,000 in nonrecurring funds for 2020-21 from the General Fund to the Department of Public Safety (DPS), Division of Adult Correction and Juvenile Justice, for policy implementation, education, and training of the procedures described above. Effective July 1, 2020.

Requires the Division of Adult Correction to provide mammograms for women age 40 and over who are incarcerated in the State prison system.

Appropriates \$150,000 in recurring funds for 2020-21 from the General Fund to DPS to provide housing assistance to female offenders reentering the community. Effective July 1, 2020.

Intro. by Smith.

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, Budget/Appropriations, State Agencies, Department of Public Safety](#)

S 778 (2019-2020) [UNC/CC/HUNGER FREE CAMPUS INITIATIVE](#). Filed May 14 2020, *AN ACT TO ESTABLISH THE HUNGER FREE CAMPUS INITIATIVE AND TO APPROPRIATE FUNDS FOR THE INITIATIVE.*

Identical to [H 1120](#), filed 5/14/20.

Requires the UNC Board of Governors and the State Board of Community Colleges to establish the Hunger Free Campus Initiative (Initiative) at UNC constituent institutions and community colleges under the jurisdiction of the State Board of Community Colleges, in order to address student hunger and food insecurity. Allows constituent institutions and community colleges to use the funds made available to them under this act to establish new programs, expand on existing programs, and use community resources on their campuses. Also allows funds to be used to provide basic needs and other essential resources to students vulnerable to food insecurity.

Requires settings goals for constituent institutions and community colleges receiving funds to be designated as "hunger free campuses" and to implement at least the following: (1) designate a campus employee to help ensure that students have information necessary to enroll in campus meal plans (for constituent institutions) or locate other meal options and resources, (2) provide for an on-campus food pantry or regular food distributions on campus, and (3) designate a campus employee as a point of contact to work with student volunteers. Additionally requires constituent institutions to establish or enhance existing meal-sharing programs that allow students to voluntarily donate their unused meal plan credits to be distributed for use by students in need to access dining halls or to support an on-campus food pantry; requires that the parameters of the meal-sharing program be made publicly available, including the specified information.

Appropriates \$1.6 million in recurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to each constituent institution in the amount of \$100,00 each fiscal year to implement the act. Excludes the NC School of Science and Math.

Appropriates \$5.8 million in recurring funds for 2020-21 from the General Fund to the Community Colleges System Office to be allocated to each community college campus in the amount of \$100,000 each fiscal year to implement the act.

Effective July 1, 2020.

Intro. by Murdock, Smith, Foushee.

APPROP, UNCODIFIED

[View summary](#)

Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Health and Human Services, Health, Public Health, Social Services, Public Assistance

S 780 (2019-2020) **STUDY ON FIXED IN-STATE TUITION PLAN FOR UNC**. Filed May 14 2020, *AN ACT TO STUDY THE IMPACT OF ESTABLISHING A REDUCED FIXED FOUR-YEAR TUITION PLAN FOR CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO APPROPRIATE FUNDS TO CONDUCT THE STUDY*.

Identical to [H 1118](#), filed 5/14/20.

Requires the Friday Institute for Educational Innovation at NC State University (The Friday Institute) to study the impact of establishing an in-state tuition rate for undergraduate students at the constituent institutions of The University of North Carolina, other than those participating in the NC Promise Tuition Plan, at a fixed rate of \$2,500 per semester for four academic years of continuous student enrollment. Sets out seven issues that must be considered in the study, including the economic impact on families and undergraduate students to have an opportunity to attend a constituent institution under the plan, including reduction of student loan debt and long-term financial benefits, the economic impact on enrollment at constituent institutions by each institution and the corresponding effect on their budgets, and the sustainable cost for campuses that are already near or at the tuition rate of \$2,500 per semester for a four-year period. Requires a report on the results of the study to the specified NCGA committees and division by February 1, 2021.

Appropriates \$100,000 in nonrecurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to The Friday Institute to conduct the study.

Effective July 1, 2020.

Intro. by Murdock, Smith, Foushee.

APPROP, STUDY

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System

S 781 (2019-2020) **FREEDOM OF SPEECH/PRESS/EXERCISE OF RELIGION**. Filed May 14 2020, *AN ACT TO LIMIT PROVISIONS OF AN EXECUTIVE ORDER OR LOCAL ORDINANCES FROM PROHIBITING OR RESTRICTING THE PUBLIC PRESS, PROTEST, OR RELIGIOUS INSTITUTIONS DURING A STATE OF EMERGENCY*.

Includes whereas clauses.

Amends GS 166A-19.30 and GS 166A-19.31 to prohibit the Governor or the governing body of a municipality or county, respectively, from restricting through an executive order, or through ordinances, prohibitions, or restrictions, any: (1) public press organization conducting activities in an emergency area in the normal course of business; (2) time, place, or manner of peaceable, nonviolent, or nonthreatening activity in an emergency area intended to express political views or to provide lawful information to others; or (3) religious institution in an emergency area from conducting regular business or congregating for worship services during a state of emergency (allows the issuance of nonbinding recommendations requesting religious institutions prohibit or restrict regular business or congregating).

Appropriates \$2,500 in nonrecurring funds for 2020-21 from the General Fund to the NC Sheriffs' Association, Inc., to educate local law enforcement officers on the act's requirements. Appropriates \$2,500 in nonrecurring funds for 2020-21 from the

General Fund to the NC Association of Chiefs of Police, to educate local law enforcement officers on the act's requirements. Effective July 1, 2020.

Applies to executive orders, ordinances, prohibitions, and restrictions issued after May 31, 2020.

Intro. by Britt, Daniel, Hise.

APPROP, GS 166A

[View summary](#)

**Government, Budget/Appropriations, Public Safety and
Emergency Management, State Government, Executive, Local
Government**

S 782 (2019-2020) [RAISE MERCHANDISE SALES LIMIT/CAMPAIGN FINAN.](#) Filed May 14 2020, *AN ACT AMENDING THE CAMPAIGN FINANCE LAWS TO RAISE THE LIMIT ON MERCHANDISE SALES FOR POLITICAL PARTIES.*

Amends GS 163-278.8A to raise the limit on merchandise sales for political parties from \$10,000 to \$20,000 per election cycle.

Intro. by Edwards, Hise, D. Davis.

GS 163

[View summary](#)

Government, Elections

S 783 (2019-2020) [FUNDS FOR NCSSM-MORGANTON CAMPUS.](#) Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AND OPERATE THE MORGANTON CAMPUS OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.*

Enacts new GS 116-235.5 authorizing the Board of Trustees of the NC School of Science and Mathematics (NCSSM) to establish a western campus in Morganton.

Appropriates \$3,340,591 in recurring funds for 2002-21 from the General Fund to the UNC Board of Governors to be allocated to the NCSSM for operating funds, purchase of equipment and supplies, and for 46 new positions at the Morganton campus.

Appropriates \$2,608,160 in recurring funds for 200-21 from the General Fund to the Office of State Budget and Management to be held in a reserve for allocation for the Morganton campus. Prohibits releasing the funds until July 1, 2021, and requires certification that the campus is to begin operation with the admittance of the first class of students beginning with the 2022-23 school year. Allows funds to be used, beginning with the 2021-22 fiscal year for operating expenses, equipment and supplies, and personnel.

States the NCGA's intent to appropriate from the General Fund to UNC Board of Governors the specified amounts in the 2021-22, 2022-23, and 2023-24 fiscal years or any financial obligations incurred to open and operate the Morganton campus.

Provides that if H 966 (2019 Appropriations Act) becomes law, then this act controls if any provision of that act or Committee Report conflicts with this act,

Effective July 1, 2020.

Intro. by Hise, Daniel.

APPROP, GS 116

[View summary](#)

**Education, Elementary and Secondary Education, Higher
Education, Government, State Agencies, UNC System, Office
of State Budget and Management**

S 784 (2019-2020) [ONLINE ORIENTATION/TRAINING FOR THE PUBLIC](#). Filed May 14 2020, *AN ACT TO APPROPRIATE FUNDS FOR PUBLIC LIBRARIES TO PROVIDE ONLINE ORIENTATION AND SUPPORT PROGRAMS FOR THE PUBLIC*.

Appropriates \$3 million in nonrecurring fund for 2020-21 from the General Fund to the Department of Natural and Cultural Resources to be allocated to the Aid to Public Libraries Fund to provide directed grants to public libraries for training and support to the general public on internet usage and safety, with emphasis on populations less familiar with the internet usage necessary to meet social distancing requirements and respond to the impacts from the coronavirus disease 2019. Requires public libraries to use grants funds to engage in partnerships and use the resources available from specified entities to provide the online orientation and training programs to the general public. Does not require a local match. Effective July 1, 2020.

Intro. by Smith, Murdock, Robinson.

[APPROP](#)

[Government, Budget/Appropriations, Cultural Resources and Museums, Public Safety and Emergency Management, State Agencies, Department of Natural and Cultural Resources \(formerly Dept. of Cultural Resources\)](#)

[View summary](#)

S 785 (2019-2020) [DISASTER FARM PRODUCTS DONATION TAX CREDIT](#). Filed May 14 2020, *AN ACT TO ALLOW AGRICULTURAL PRODUCERS AN INCOME TAX CREDIT FOR FOOD DONATIONS DURING A TIME OF A DECLARED STATE OF EMERGENCY*.

Enacts new GS 105-153.11 allowing a taxpayer growing crop and allowing the gleaning of the crop an income tax credit of 50% of the market price of the quantity of the gleaned crop, not to exceed the lesser of \$15,000 or the amount of tax imposed for the taxable year reduced by the sum of all credits allowable, except tax payments made by or on behalf of the taxpayer. Gleaning is defined as the harvesting of a crop that has been donated by the grower to a nonprofit organization which will distribute the crop during a qualifying portion of the taxable year to an area of this State covered by a state of disaster to individuals, public schools, or other nonprofit organizations it considers appropriate recipients of the food. Defines a state of disaster to include when the Governor or legislature has declared a state of emergency, the Governor has issued a disaster declaration, the President has issued a major disaster declaration for this State, an area in the State, or for an area in which a member or an employing unit is located, or a governing body has declared a state of emergency or disaster, or equivalent, for an area in which a member or employing unit is located. Requires the taxpayer to add the market price of the gleaned crop to the taxpayer's adjusted gross income. Allows any unused portion of the credit to be carried forward for the next succeeding five years. Effective for taxable years beginning on or after January 1, 2020.

Intro. by deViere, Searcy, Woodard.

[GS 105](#)

[Agriculture, Government, Public Safety and Emergency Management, Tax](#)

[View summary](#)

S 787 (2019-2020) [RESTORE MASTER'S PAY FOR TEACHERS](#). Filed May 14 2020, *AN ACT TO REINSTATE EDUCATION-BASED SALARY SUPPLEMENTS FOR TEACHERS AND INSTRUCTIONAL SUPPORT PERSONNEL*.

Repeals Section 8.22 of SL 2013-360, as amended which phased out certain teacher salary supplements.

Requires the specified State Board of Education policy, as it was in effect on June 30, 2013, to be used to determine whether (1) teachers and instructional support personnel are paid on the "M" salary schedule, and (2) they receive a salary supplement for academic preparation at the six-year or doctoral degree level.

Appropriates \$8 million in recurring funds for 2020-21 from the General Fund to the Department of Public Instruction to reinstate education-based salary supplements for teachers and instructional support personnel.

Provides that the provision of the State Budget Act are reenacted and incorporated into the act by reference.

Provides that except where expressly repealed or amended by this act, the provisions of other legislation enacted during the 2019 Regular Session expressly appropriating funds to an agency, department, or institution covered in this act, remain in effect.

Provides that if H966 (2019 Appropriations Act) becomes law and if there is a conflict with that act or the Committee Report, then this act controls.

Effective July 1, 2020.

Intro. by Garrett, Robinson, Woodard.

APPROP, UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education,
Government, Budget/Appropriations, State Agencies,
Department of Public Instruction**

S 789 (2019-2020) **HBCU/HMSI FUNDS/DOCT. PROG./TEACHING FELLOWS**. Filed May 14 2020, *AN ACT TO ALLOCATE ADDITIONAL FUNDS TO CONSTITUENT INSTITUTIONS DESIGNATED AS HISTORICALLY BLACK COLLEGES AND UNIVERSITIES TO ADDRESS UNDERFUNDING AT THOSE INSTITUTIONS, TO ALLOCATE ADDITIONAL FUNDS TO NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND NORTH CAROLINA CENTRAL UNIVERSITY TO SUPPORT THEIR DOCTORAL PROGRAMS, AND TO ADD CERTAIN INSTITUTIONS TO THE TEACHING FELLOWS PROGRAM.*

States NCGA findings and appropriates \$20 million in additional recurring funds from the General Fund to the UNC Board of Governors to be allocated the following universities for 10 fiscal years, from 2020-21 until 2029-30: NC Central University, NC A&T State University, Fayetteville State University, Winston-Salem State University, and Elizabeth City State University. Allows the funds to be used for scholarships, faculty recruitment, course development, and general operational support.

Appropriates \$10 million in additional recurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to NC A&T State University to support its doctoral programs. Requires the funds to be used to support new faculty and graduate student services for the doctoral programs, including the specified fields.

Appropriates \$10 million in additional recurring funds for 2020-21 from the General Fund to the UNC Board of Governors to be allocated to NC Central University to support its doctoral programs. Requires the funds to be used to support new faculty and graduate student services for doctoral programs, including the specified fields.

Amends GS 116-209.62 by removing the cap (was, 5) on the number of institutions with which the NC Teaching Fellows Program is to be administered. Requires that at least the following be selected to participate in the Teaching Fellows Program: (1) one UNC constituent institution and one private postsecondary institution that are designated as Historically Black Colleges and Universities and (2) one women's college that primarily enrolls a female student population. Makes conforming changes. Applies beginning with the 2021-2022 academic year.

Effective July 1, 2020.

Intro. by Smith, Murdock.

APPROP, GS 116

[View summary](#)

**Education, Higher Education, Government,
Budget/Appropriations, State Agencies, UNC System**

LOCAL/HOUSE BILLS

H 1113 (2019-2020) **EXPAND LOCAL OPTION SALES TAX FOR EDUCATION**. Filed May 14 2020, *AN ACT TO GIVE GUILFORD COUNTY GREATER FLEXIBILITY TO USE LOCAL OPTION SALES TAX REVENUES FOR EDUCATION.*

Applicable to Guilford County only, amends GS 105-537 to modify the ballot question for a referendum on the county's proposed one-quarter percent local sales and use tax, to now allow for any percentage rate and to additionally specify in the question that the tax is to be used for inclusion in conformity with the options listed in GS 105-538, as amended. Further, allows for a combined ballot question on the authorized tax and a bond referendum conducted pursuant to Part 2 of Article 4 of GS Chapter 159, which authorizes local governments to issue bonds. Provides for the combined form question and requires notice of the intent to combine the tax and bond questions, including anticipated revenue and the maximum amount of bonds authorized to be issued, in addition to other notice and information requirements required by law. Additionally adds an explicit provision to require any tax levied under the statute to be approved in referendum. Prohibits a referendum at an election within one year from the date of the last preceding election under the statute.

Amends GS 105-538 to limit the county's use of the net proceeds of the local sales and use tax to any of the following options: any public purpose, public education purposes, public school capital outlay purposes, teacher salary supplements, and/or community college support. Provides corresponding ballot language for each purpose specified. Additionally, adds definitions for the terms classroom teacher, net proceeds, public education purposes, and public school capital outlay purposes. Defines public education purposes to include public school capital outlay purposes, supplements of classroom teacher salaries, and financial support of community colleges.

Makes conforming changes to GS 159-61.

Intro. by Hardister, Clemmons, Faircloth, Brockman.

Guilford

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Education, Government, Tax

ACTIONS ON BILLS

No public actions on bills

No local actions on bills

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