



The Daily Bulletin: 2022-03-09

PUBLIC/HOUSE BILLS

H 243 (2021) **BUDGET TECHNICAL CORRECTIONS (NEW)**. Filed Mar 9 2021, *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2021 AND TO OTHER LEGISLATION.*

Conference report to the 5th edition deletes the content of the previous edition and now provides the following.

Part I. General Provisions

Section 1.1

Decreases the base budget for the NC Veterans Home Trust Fund for the fiscal biennium, now providing for the amounts specified, notwithstanding the Committee Report referenced in Section 43.2, SL 2021-180 (2021 Appropriations Act).

Section 1.2

Revises the allocations set forth in Section 5.9, SL 2021-180, allocating funds appropriated by that act for disaster relief, recovery, mitigation, and resiliency. Now directs that of the \$32.342 million appropriated to the Department of Public Safety (DPS) for the provision of directed grants for listed projects, \$2 million is to be used for a directed grant to the Town of Morehead City for described projects for Sugarloaf Island (previously, as a directed grant to Carteret County for the Sugarloaf Island Mitigation Project). Corrects an association identified for another directed grant required under the same appropriations to DPS. Makes further technical corrections.

Section 1.3

Regarding the allocation of \$124.4 million for relief and recovery efforts from Tropical Storm Fred of the funds appropriated in Section 5.9A, SL 2021-180 for disaster relief, recovery, mitigation, and resiliency, now directs that \$500,000 be allocated to the Wildlife Resources Commission to repair hatcheries damaged by the Storm, rather than the repair of dams, spillways, and related structure damaged by the Storm.

Section 1.4

Establishes the temporary reduction of receipts in the Volunteer Safety Workers' Compensation Fund to be \$14,599,239 for 2022-23.

Part II. Education

Section 2.2

Section 7.25, SL 2021-180 enacted GS 115C-109.9(h2), creating a right of action for a party who is aggrieved by the findings and decision of a hearing officer with respect to petition filed with the Office of Administrative Hearings requesting an impartial hearing on a matter relating to the identification, evaluation, or education placement of a child, or the provision of a free appropriate public education of a child, or a manifestation determination. Requires the aggrieved party to bring the civil action in State or federal court within 30 days of receipt of the notice of the decision.

Provides the following uncodified law. Allows a party to bring a civil action in State court within 30 days of the date the act becomes law if (1) the party had appealed the findings and decision before a Review Officer under GS 115C-109.9, as it existed on November 17, 2021, and (2) the appeal was pending before the Review Officer on November 18, 2021, or the Review Officer had issued a decision on the appeal on or after October 19, 2021. Additionally, allows a party to bring a civil action in federal court pursuant to 20 USC 1415 within 90 days of the date the act becomes law if (1) the party had appealed the findings and decision before a Review Officer under GS 115C-109.9, as it existed on November 17, 2021, and (2) the

appeal was pending before the Review Officer on November 18, 2021, or the Review Officer had issued a decision on the appeal on or after August 20, 2021.

Section 2.3

Revises the reporting requirements established in Section 3.5, SL 2021-125, as enacted by Section 7.27, SL 2021-180. Regarding Elementary and Secondary School Relief Fund funds appropriated to the Department of Public Instruction (DPI) to establish a grant program to allocate funds to public school units to identify and locate missing students in response to the COVID-19 pandemic (pandemic), now requires DPI to submit an interim report by March 15, 2022, and a final report by November 15, 2022, to the previously specified NCGA committees and division (was, one report required to be submitted by March 15, 2022).

Section 2.4

Further amends Section 3.5, SL 2021-125, as enacted by Section 7.27, SL 2021-180, concerning allocations of Elementary and Secondary School Relief Fund funds appropriated to the Department of Public Instruction (DPI). Now requires \$3.9 million to be allocated to Communities in Schools of North Carolina, Inc. to expand student support services for K-12 students who have experienced learning loss and negative impacts due to the pandemic (previously, directed that the same amount be used by the entity to expand services and provide for the extension of nine month contracts for its employees to provide assistance and enrichment activities over the summers for K-12 students experiencing learning loss and negative impacts from COVID-19). Provides a non-exhaustive list of support services.

Section 2.6

Amends Section 7.85, SL 2021-180, extending the date by which the State Board of Education must report on its study related to dual enrollment of high school students for college credit, an associate degree, or a career-ready credential, now providing for a report to the specified NCGA committee and division, and the Office of State Budget and Management (OSBM) by July 15, 2022 (was, March 15, 2022).

Section 2.7

Amends Section 7.70, SL 2021-180, extending the date by which the Department of Health and Human Services (DHHS) and DPI must jointly submit a proposal to the specified NCGA committees to add Medicaid coverage for school-based transportation services, to the extent allowable under federal law and regulations, from March 1, 2022, to May 1, 2022.

Section 2.8

Revises the definition enacted for eligible child(ren) under the Patriot Star Family Scholarship Program, established by Section 8.3, SL 2021-180, to provide scholarships for eligible children and spouses of certain veterans, currently serving Armed Forces members, and eligible disabled veterans, as those terms are defined, to attend certain postsecondary institutions. Expands eligibility criteria for children to include having a parent who is an Armed Forces veteran who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces in training for future conflicts who receives at least 50% disability compensation from the US Department of Veteran Affairs as a result, alternatively to the present criteria that the parent veteran have incurred such injuries, wounds, or major illness as a member of the Armed Forces during a period of war or national emergency who also meets the described compensation threshold. Further, now specifically requires that the injuries, wounds, or major illness be a direct result of service in the line of duty, whether incurred during a period of war, national emergency, or training in preparation for future conflicts. Makes conforming changes. Similarly, expands the definition of an eligible disabled veteran to include those veteran parents which meet the criteria described in the definition of an eligible child, as amended. Makes identical changes to Section 8.19, SL 2021-180, which establishes the NC Patriot Star Family Recovery Scholarship Program, to provide scholarships for eligible children, spouses of certain veterans, children of certain serving Armed Forces members, and eligible disabled veterans to attend certain postsecondary institutions to help remediate pandemic impacts for individuals meeting income criteria to recover learning and achieve credential and degree attainment. Effective July 1, 2021.

Section 2.9

Changes the reporting deadlines set by Section 8.4, SL 2021-180 for the UNC Board of Governors to specified NCGA committees and division on the implementation of changes to the approval and renewal of educator preparation programs (EPPs) pursuant to the Science of Reading standard, enacted in Section 4, SL 2021-8.

Section 2.10

Extends the date by which the NC Collaboratory (Collaboratory) must submit a report on its study of the overall status of the coastal and marine fisheries regulated by the State to the Environmental Review Commission, now directing that the report be provided by June 30, 2025 (was, June 30, 2023).

Section 2.11

Amends GS 116-143.11, which establishes the NC Promise Tuition Plan, setting the undergraduate tuition rate for four UNC institutions, as expanded by Section 8.25, SL 2021-180. Enacts a new subsection to exempt from the statute's set rate tuition charged for digital learning student credit hours with the support of a nonprofit corporation established by the UNC System Office under GS 116-30.20.

Section 2.12

Corrects an internal cross-reference in Section 8.26, SL 2021-180.

Section 2.13

Makes a clarifying change to the definition of eligible student in GS 115C-562.1, as amended by Section 8A, SL 2021-180, applicable to Part 2A of Article 39, which establishes scholarships for nonpublic schools. Applies beginning with applications for scholarship funds for the 2022-23 school year.

Section 2.14

Amends GS 115C-592, as amended by Section 8A.3 of SL 2021-180, which provides for the award of scholarship funds under the North Carolina Personal Education Savings Accounts Program. Now provides for an eligible part-time student who has autism, a hearing impairment, moderate or severe intellectual or developmental disability, multiple permanent orthopedic impairments, and/or a visual impairment listed as a primary or secondary disability on the eligibility determination form at the time of the application to be awarded up to \$8,500 each school year (previously, only provided for amounts for full-time students with such primary or secondary disabilities). Now requires rather than permits applicants to demonstrate for initial eligibility that the applicant has a child with a disability by having the child assessed by a local education agency and verified on an eligibility determination form. Makes conforming and technical changes. Applies beginning with application for scholarship funds for the 2022-23 school year.

Section 2.15

Amends Section 8.22 of SL 2021-180 to direct the UNC System Office to transfer the previously specified NC Central University position and associated costs to the Office of State Human Resources as part of the certification of the budget for the 2022-23 fiscal year rather than the 2021-23 fiscal biennium.

Section 2.16

Revises GS 116-255, as enacted by Section 8.8, SL 2021-180, which codifies the Collaboratory, to exempt the Collaboratory from Articles 3A through 3D (relating to surplus property; conservation of energy, water, and other utilities; contracts to obtain consultant services; and the procurement of architectural, engineering, and surveying services) and 8C (relating to performance standards for sustainable, energy efficient public buildings) of GS Chapter 143, in addition to the previously stated exemption from Article 3 (purchases and contracts) of that Chapter, for the Collaboratory's purchase of apparatus, supplies, material, services, or equipment projects addressing an emerging or immediate threat to public health, safety, or welfare for research and investigations that need to be carried out expeditiously in response to a project, opportunity, or legislative mandate. Adds the Collaboratory's capital improvements to this stated exemption. Restricts the scope of the exemptions to situations where at least 50% of the total funding for a project is provided to the Collaboratory. Expands the Collaboratory's funding conditions and restrictions to authorize the Collaboratory to allocate funds for capital improvements on or in any property owned or operated by any constituent institution to carry out research and development projects in which the Collaboratory has funded in any way, subject to statutory law regarding capital improvements and in coordination with UNC. Effective on the date the act becomes law.

Section 2.17

Amends Section 8.18, SL 2021-180 to require the Collaboratory to report to the specified NCGA committee, committee chairs, and division on the approved in situ treatment of the nutrient impaired surface waters in lakes and reservoirs on cyanobacterial harmful algal blooms by April 1, 2025 (was, April 1, 2023).

Section 2.18

Adds new Section 8.28, SL 2021-180, transferring the \$2 million appropriated from the State Fiscal Recovery Fund to the UNC Board of Governors for 2021-22 to purchase ultraviolet-C sterilization units to be divided equally between Elizabeth City State University, Fayetteville State University, and UNC Pembroke, to instead allocate the funds equally (as specified) between the universities to purchase the units to disinfect surfaces to prevent the spread of COVID-19.

Section 2.19

Adds new Section 8.29, SL 2021-180, transferring the \$150,000 appropriated to the UNC Board of Governors for 2021-22 to be allocated to NC State for the Soldier to Agriculture Program, to instead allocate \$50,000 each to the following entities for agricultural programs, as described: (1) NC State, (2) the Veteran's Farm of North Carolina, Inc., and (3) Southern CC, Inc.

Part III. Health and Human Resources

Section 3.1

Amends Section 9B.9, SL 2021-180, to specify that of the funds appropriated to the Division of Central Management and Support of DHHS for the fiscal biennium, \$700,000 is to be used to assist in funding the mandates of Section 9B.9(e)(4) through (e)(6), relating to grants made to previously identified nonprofits for purposes relating to promoting wellness and physical activity, each in the amount of \$250,000 (previously, only identified the mandate in subdivision (e)(4)).

Section 3.2

Adds new Section 9F.3B, SL 2021-180, directing that \$5 million of the funds appropriated to DHHS's Division of Mental Health, Developmental Disabilities, and Substance Abuse Services in each fiscal year of the biennium be allocated as a directed grant to Hope Alive, Inc. to partner with Robeson Health Care Corporation and the Robeson Rural Communities Opioid Response Program consortium for the prevention of, treatment of, and recovery from substance use disorder. Establishes specific reporting requirements in addition to those required under the act and statutory law.

Section 3.3

Revises Section 9D.15A, SL 2021-180, now requiring DHHS, Division of Health Benefits to provide a rate increase to home and community-based providers that are approved financial managers or financial supports agencies billing for personal care service or waiver service hours provided by direct care workers that are hired by employers of record or managing employers under consumer-directed or self-directed options in accordance with one of the three named Medicaid Clinical Coverage Policies: (1) 8-P: North Carolina Innovations; (2) 3K-1: Community Alternatives Program for Children (CAP/C); or (3) 3K-2: Community Alternatives Program for Disabled Adults (CAP/DA) (previously, directive was limited to increasing such providers that are enrolled in the Medicaid or NC Health Choice program only).

Section 3.4

Amends Section 9F.9, SL 2021-180, to require previously specified funds to be used to create a new behavioral unit by Harnett Health System, Inc., rather than a specific hospital as apart of Harnett County Health Systems. Specifies that the funds granted to Harnett Health System, Inc. must be used to create a new behavioral health unit with at least 12 beds reserved for children under 18.

Section 3.5

Clarifies an allocation of funds appropriated to DHHS, Division of Child Development and Early Education in Section 9L.2, SL 2021-180, to now provide for the allocation of \$53,700 to Bethpage United Presbyterian Church in Cabarrus County for its AYA House program for substance abuse treatment and recovery services (was, to AYA House, Inc.).

Section 3.6

Transfers the \$400,000 and \$350,000 appropriated to DHHS, Division of Central Management and Support, Office of Rural Health for fiscal years 2021-22 and 2022-23 to provide a two year pilot program for veterans' health care services to instead

provide (1) \$25,000 for 2021-22 to Dominion Health Care Foundation to cover job training programs and internships for populations in Cumberland County who are veterans, unemployed due to COVID-19 or formerly incarcerated; and (2) \$375,000 for 2021-22 and \$350,000 for 2022-23 to DHHS's Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to Community-Base Developmental Services, Inc. to increase the organization's capacity to provide certified clinical assessment, case management, and medication-assisted treatment services for uninsured individuals with substance use disorders, with a target of uninsured individuals of the State's Hispanic/LatinX or American Indian populations. Makes conforming repeal of Section 9B.5, SL 2021-180, which appropriates \$750,000 over the biennium to the Office of Rural Health for the described pilot program.

Part IV. Agriculture and Consumer Services

Section 4.1

Amends Section 10.5, SL 2021-180 to allow for funds appropriated by that act to the Department of Agriculture and Consumer Services (DACS) for international marketing to be used for positions and international outreach to continue the Go Global NC brand (was, solely to rebrand the section as Go Global NC, not including positions).

Section 4.2

Revises Section 10.7, SL 2021-180, which provides for meat and seafood processing grants. Amends legislative findings to include impacts of the pandemic on producers of further processed meat products who serve small livestock producers. Eliminates the cap limiting the funds that can be used for grants to seafood processors at 35% of funds allocated. Eliminates the cap for capacity enhancement grants of \$500,000. Eliminates the cap for workforce development grants of \$100,000. No longer limits planning grants to 5% or less of the funds allocated. Expands eligible facilities to include those which produce further processed meats products for which the USDA contracts with DACS inspectors to conduct federal inspection activities authorized by federal law at the plant, or which is a State-inspected facility, or which is a USDA-inspected processor of shelf-stable meat or meat products.

Section 4.3

Revises the Swine and Dairy Assistance Program established by Section 10.8, SL 2021-180, regarding the additional financial assistance DACS must award eligible applicants on top of the general assistance relief payment, requires additional financial assistance to swine producers for a fixed dollar amount per head space, as stated, for producers who are able to secure a production contract with a swine integrator (was, with *another* swine integrator) but must invest in upgrades to existing barns or completely rebuild animal housing.

Section 4.4

Expands the Agricultural Crop Loss Program established by DACS in Section 5.9B, SL 2021-180 to include verifiable damages and losses to agricultural commodities caused by freezing temperatures and frost from April 2, 2021, to April 21, 2021, in counties in which the USDA Secretary declared a natural disaster, which include Buncombe, Haywood, Henderson, Polk, Rutherford, and Transylvania Counties. Details procedures for verification of loss, requiring documentation to be submitted to DACS by April 15, 2022, with extensions permitted as described. Details administration of the program's extension. Includes defined terms. Incorporates by reference provisions of the existing program as established in SL 2021-180 relating to audits, the expenditure of awarded funds, and the refund of awards. Adds to the reporting requirements under the Swine and Dairy Assistance Program to account for elements of the expansion.

Part V. Commerce

Section 5.1

Amends Section 11.20, SL 2021-180, as enacted by Section 4.4A, SL 2021-189, which conditions the appropriation of \$106.75 million to the Department of Commerce (DOC) for improvements at the Piedmont Triad International Airport on the award of a Job Development Investment Grant for a high-yield project for an airplane manufacturer in Guildford County for which the average annual wage is at least \$60,000. Of the directed allocations of such conditioned funds, regarding the requirement that the Airport construct one or more new hangers for the project, adds new language authorizing the Piedmont Triad Airport Authority to contract for the design and construction of new hangers using any delivery method it deems appropriate, whereby DOC pays the costs to the Authority or reimburse the Authority for such costs, or for the Authority to authorize the prospective

operator of the new hangers to contract for their design and construction, whereby DOC pays the costs to the prospective operator or reimburses the prospective operator for such costs.

Section 5.2

Extends the date by which eligible sanctioned motorsport venues must apply to DOC for grants established by Section 11.14, SL 2021-180, as amended, from before January 31, 2022, to before February 26, 2022. Makes technical and conforming changes.

Section 5.3

Amends GS 113-211, as enacted by Section 11.4, SL 2021-180, which establishes the Shellfish Growers Loan Program. Eliminates language allowing for a qualifying lender to assess an origination fee of up to 2% of the principal amount of the loan. Adds a new subsection to authorize the Rural Center, which administers the program, to use up to 7.5% of the principal amount of each loan provided under the program, capped at \$37,500 annually, for its expenses and for reimbursement to qualifying lenders of program-related expenses incurred by the qualifying lenders. Makes conforming changes.

Section 5.4

Directs that the \$500,000 directed grant to the Town of Belmont for TechWorks in Gaston County for 2021-22 may be used for scholarships, youth programming, and other purposes related to education.

Section 5.5

Adds new Section 11.11B, SL 2021-180, requiring that funds appropriated to DOC to contract with nonprofits pursuant to GS 143B-431.01 for Eastern NC marketing to instead be used as a directed grant to the Pitt County Committee of 100, d/b/a Greenville-ENC Alliance, for marketing and branding of Eastern NC.

Part VI. Environmental Quality

Section 6.1

Revises the allocation of funds appropriated to the Department of Environmental Quality (DEQ) from the State Fiscal Recovery Fund for the Water Infrastructure Fund in Section 12.13(a), SL 2021-180. Reduces the allocation for the Viability Utility Reserve for previously described purposes to \$444.4 million (was, \$456.4 million). Adds a new allocation of \$12 million for the Drinking Water Reserve and the Wastewater Reserve to provide project construction grants to the Town of Norwood of \$2 million and Rockingham County of \$10 million. Details restrictions and limitations of the construction grants. Repeals allocations of funds allocated to the Viability Utility Reserve in subdivisions 12.13(d)(8), (11), (12), (14), (16), and (17) to the following local governments for water and wastewater infrastructure projects: Town of Madison; Town of Norwood; Rockingham County; City of Southport; Town of Topsail Beach; and City of Trinity. Instead, adds allocations from the funds allocated to the Drinking Water reserve and the Wastewater Reserve to include specified amounts to the following local governments for water and wastewater infrastructure projects: Town of Madison; City of Southport; Town of Topsail Beach; and City of Trinity.

Section 6.2

Directs that no funds are to be allocated to Haywood County for Lake Junaluska from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund (Fund). Instead, directs DEQ to transfer \$1.5 million for 2021-22 from the Fund to the OSBM specified budget code to be appropriated by OSBM as a directed grant to Haywood County for various projects at Lake Junaluska. Repeals Section 12.5(b)(2), which barred requiring a match of funds appropriated from the Fund for dredging of Lake Junaluska.

Part VII. Natural and Cultural Resources

Section 7.1

Amends Section 14.6, SL 2021-180 to direct that the funds specified for the NC Symphony are to be allocated from funds appropriated to the Department of Natural and Cultural Resources (DNCR) rather than OSBM.

Section 7.2

Reduced the amount of funds DNCR is directed to distribute from the Complete the Trails Fund to partner organizations (either local governments or nonprofits) under Section 14.7, SL 2021-180, for land-based trails in the State Trail System, from \$15.1 million to \$15.05 million. Makes conforming changes. Designates OVNCST-Friends as the nonprofit partner DNCR must enter into an MOU for activities related to Overmountain Victory Trail.

Section 7.2A

Modifies the distribution of funds by DNCR from the Complete the Trails Fund under Section 14.7, SL 2021-180, to partners for the Yadkin River Paddle Trail and French Broad River Paddle Trail, to provide that these trails are eligible for additional funding for land or easement acquisition under sub-subdivision 14.7(d)(2)b. (previously, barred eligibility for additional funding under all of subdivision (d)(2), which included funds for all described eligible activities).

Section 7.3

Corrects an internal cross-reference in Section 14.12, SL 2021-180.

Section 7.4

Amends GS 143B-135.5, updating the name of the Eastern Band of Cherokee Nation to the Eastern Band of Cherokee Indians.

Part VII. Administrative Office of the Courts

Section 8.1

Amends GS 7A-133 to increase the minimum number of magistrates for Currituck County from 3 to 4, and reduce the minimum number of magistrates for Perquimans County from 4 to 3.

Section 8.2

Amends the following statutes to refer to "local judicially managed accountability and recovery courts" rather than "drug treatment court or therapeutic courts", as renamed by Section 16.5, SL 2021-180: GS 7A-271; GS 7A-272; all of Subchapter XIV, Article 62, GS Chapter 7A; GS 15A-1340.11; GS 15A-1340.16; GS 15A-1341; GS 15A-1343; and GS 15A-1344. Makes conforming repeal of GS 7A-272(f).

Makes technical changes throughout Subchapter XIV, Article 62, GS Chapter 7A. Amends GS 7A-802 to exclude from the scope of Article 62, drug treatment courts or local judicially managed accountability and recovery courts in existence on or before January 1, 2022 (was, December 1, 2021), to the extent that compliance would disqualify the court for grant funding from the National Association of Drug Court Professionals.

Provides that a therapeutic court established pursuant to GS 7A-272 prior to the proposed changes to GS 7A-272 must be allowed to remain in effect and is considered a judicially managed accountability and recovery court subject to the provisions of Article 62, GS Chapter 7A.

Amends Chapter 15A-1340.11 to define *locally managed accountability and recovery court program* as a local program in which offenders are required, as a condition of probation, to comply with the rules adopted for the program as provided for in Article 62, GS Chapter 7A and to report on a regular basis for a specified time to participate in court supervision, drug screening or testing, drug or alcohol treatment programs, and/or mental, behavioral, or medical health-related treatment programs. Makes technical and clarifying changes.

Makes further conforming changes to expand the mitigating factors considered for sentencing set forth in GS 15A-1340.16 to include that a defendant has entered or is currently involved in or successfully completed a mental, behavioral, or medical health-related treatment program, as now included in the Judicially Managed Accountability and Recovery Court Program, as revised by Section 16.5, SL 2021-180.

Makes technical changes to GS 15A-1343.2.

Makes the above changes effective on the date the act becomes law.

Section 8.3

Amends GS 20-135.2A and GS 20-140.4 to increase court costs associated with a seat belt infraction to include a new fee of \$1.50 to the issuing county or municipality, and \$1.50 for the supplemental pension benefits of sheriffs, remitted to the Department of Justice (DOJ) as specified. Eliminates the fees previously charged for law enforcement and training and certification under GS 7A-304(a)(3b). Effective July 1, 2022, with exceptions specified.

Section 8.4

Amends GS 15A-601, which allows a clerk of superior court to conduct a first appearance if a district court judge is not available in the county within 72 hours after the defendant is taken into custody, or 96 hours after the defendant is taken into custody if the courthouse is closed for transactions for a period longer than 72 hours. Adds new language authorizing a magistrate to conduct the first appearance if the clerk is not available.

Part IX. Public Safety

Section 9.1

Amends Section 19E.5(b) of SL 2021-180 by specifying the committees and NCGA division that the Division of Emergency Management must report to on the distribution of grant funds to county emergency management agencies meeting specified population requirements.

Section 9.3

Amends section 19A.13 of SL 2021-180 by pushing back by two months the dates on which the Department of Public Safety must report to the specified entities and the public on the support team assisted response (STAR) programs in certain city police departments. Effective when the act becomes law.

Section 9.4

Allows the funds granted to the North Carolina National Guard for supporting operations of the Cyber Security Response Force to be used for up to 10 full-time equivalent positions to support the Cyber Security Response Force.

Part X. Budget and Management

Section 10.1

Amends Section 23.3(a) of SL 2021-180 by expanding the allowable uses of the \$30 million appropriated from the State Fiscal Recovery Fund to the Office of State Budget and Management, Pandemic Recovery Office, and allocated to the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, and the North Carolina Association of Regional Councils of Government to now include using the funds in the administration of projects funded through the State Fiscal Recovery Fund.

Section 10.2

Amends GS 143-747(c)(11a), as enacted by Section 24.5(b) of SL 2021-180 by extending by two months the date by which the Council of Internal Auditing must report to the specified NCGA committee on the extent to which State agencies have met the minimum key performance indicators and criteria.

Section 10.3

Amends Section 24.1F of SL 2021-180 by specifying that the \$200,000 appropriated to the Office of State Budget and Management that is to be used as a directed grant to the Professional Engineers of North Carolina Educational Foundation to support the NC Future City competition may be used to contract for services implementing the NC Future City competition.

Part X-A. Budget and Management-Directed Grants

Section 10A.1

Amends Section 24.4 of SL 2021-180 by removing the Young Men's Christian Association of the Triangle Area, Inc., (YMCA) as the recipient of the \$11.4 million appropriated from the State Fiscal Recovery Fund to the Office of State Budget and Management, for the North Carolina Alliance of YMCAs (Alliance) for the development and administration of a grant program to assist YMCAs in the State, instead making the Alliance the direct recipient. Makes conforming changes.

Part XI. Housing Finance Agency

Section 11.1

Amends Section 29.1(b) of SL 2021-180 by extending from July to December the deadline by which the House Finance Agency must report on its study of potential modifications to the amenities policies in the Qualified Allocation Plan.

Section 11.2

Amends Section 29.4(d) of SL 2021-180, as amended, by adding that the funds appropriated from the State Fiscal Recovery Fund to the North Carolina Housing Finance Agency for 2021-22 may be used in any manner authorized by the Final Rule issued by the US Department of the Treasury for the State and Local Coronavirus Fiscal Recovery Fund, including the issuance of grants.

Section 11.3

Repeals Section 24.3 of SL 2021-180, which allowed \$35 million of the funds appropriated from the State Fiscal Recovery Fund to the Office of State Budget and Management, to be provided to Dare County for making a forgivable loan to a qualified private partner to construct affordable housing units within the County's jurisdictional boundaries, and which set out requirements for the loan.

Specifies that \$35 million appropriated in SL 2021-180 for the 2021-22 fiscal year to the Office of State Budget and Management for Dare County to use to make forgivable loans for the construction of affordable housing must be used instead for a directed grant to Dare County for the purpose of providing affordable housing.

Part XII. Insurance

Section 12.1

Amends Section 30.3 of SL 2021-180 to provide that for the 2022-23 and 2023-24 fiscal year (was, for the 2021-22 and 2022-23 fiscal year) and the 2023-2024 fiscal year, the State Fire and Rescue Commission must not set an amount to be paid by every eligible unit and eligible entity that elects to participate in the Workers' Compensation Fund. Makes conforming changes.

Part XIII. Military and Veterans Affairs

Section 13.1

Amends Subdivision (5) of Section 33.7(b) of SL 2021-180 by correcting committee names.

Part XIII-A. Revenue

Section 13A.1

Makes the following changes to Section 34.3A of SL 2021-180, as amended, the purpose of which is to use funds from the American Rescue Plan Act to aid businesses in North Carolina that suffered substantial economic damage from the COVID-19 pandemic. Amends the eligibility requirements for a reimbursement grant to no longer require that the recipient have not previously received an award amount. Amends what is to happen to remaining grant funds to now provide that if funds reserved for both types of grants (reimbursement grants and hospitality grants) remain after disposition of all timely filed applications for grants, the Department of Revenue (Department) must open up a second round of grant applications. Sets out deadlines for these applications and sets limitations on what can be awarded to recipients who received a grant in the initial round of applications. Provides that if funds remain for one or both types of grants after the second round, the Department must distribute the remaining funds with priority given as follows: (1) disregarding the cap imposed in for recipient businesses and distributing the remainder proportionately; (2) increasing the percentage of economic loss of recipient businesses proportionately until all awards to recipient businesses have reached the specified economic loss; and (3) remitting any funds remaining to the Office of State Budget and Management which must deposit the funds into the State Fiscal Recovery Reserve. No longer requires that if a business qualifies for both types of grants that the amount of the grant be deducted from the amount available for hospitality grants. Provides that if the total amount of grants requested exceeds the maximum amount of funds available for a type of grant, the Department must prioritize and fully fund grants to applicants who have not previously received an award amount, no matter the type of grant (was, limited to hospitality grants). Amends the process for calculating gross receipts. Effective when the act becomes law.

Part XIV. General Government Oversight Reporting

Section 14.1

Amends GS 143B-394.21(c), as amended, by setting the date by which the North Carolina Council for Women and Youth Involvement (was, the North Carolina Council of Women) must report on the quarterly distributions of grants from the Sexual Assault and Rape Crisis Center Fund as September 1. Clarifies and expands upon the report's recipients. Makes additional clarifying changes.

Part XV. General Assembly

Section 15.1

Amends GS 120-76 by expanding upon the Joint Legislative Commission on Governmental Operations' powers to also include receiving reports alleging improper activities or matters of public concern listed in GS 126-84 (setting out the policy concerning State employees reporting improper government activities). Allows reports to be made anonymously and makes the reports confidential and not a public record. Makes conforming changes to GS 126-85, as amended. Effective when the act becomes law.

Section 15.2

Amends GS 120-77 to require each cochair of the Joint Legislative Commission on Governmental Operation to designate one Commission staff member to have access to the BEACON/HR payroll system.

Part XVI. Information Technology

Section 16.1

Amends Part XXXVIII of SL 2021-180 by adding a new section that gives the Department of Information Technology flexibility to transfer funding between the programs outlined in Section 38.4, Section 38.5, and Section 38.6 of the act, so long as the total allocations for the programs remain the same.

Amends Section 38.5 of SL 2021-180, as amended, to specify that the Department of Information Technology must use the funds appropriated in the act (was, funds appropriated in the act from the State Fiscal Recovery Fund) for Stopgap Solutions—Federal Broadband Funds to provide grants to internet service providers, local government entities, and nonprofits for the provision and installation of infrastructure that will expand the provision of broadband service to unserved and underserved households in this State.

Section 16.2

Amends GS 143B-1373.1 to provide that a county that expended funds under Section 38.4 or Section 38.5 of SL 2021-180 is eligible for grants from the Completing Access to Broadband Fund.

Section 16.3

Amends Section 38.10(c) of SL 2021-180 to allow the Department to use up to 1% of the funds appropriated for the Broadband Pole Replacement Program, not to exceed \$250,000 in each fiscal year, to administer the Program.

Section 16.4

Amends Section 38.10(g) of SL 2021-180 by removing the separate deadlines for completing made-ready work that varied depending on how many utility poles were affected by the request for access. Requires all make-ready work to be conditioned upon payment of the good-faith estimate and completed within a reasonable time frame mutually agreed to by the communications service provider and the pole owner.

Part XVII. Salaries and Benefits

Section 17.2

Adds a new section to Part XXXIX of SL 2021-180 that requires the funds appropriated in the act to the Department of Public Safety, Adult Correction Section, for Certified Staff Salary Adjustments to be awarded to each identified employee as two salary adjustments as: (1) a salary increase to employees identified by the Department to receive a salary increase to alleviate

salary compression; and (2) an additional retroactive service bonus payment, paid in the 2021-22 fiscal year, to identified employees for service provided in the respective position during the 2021-22 fiscal year. Requires the salary adjustment to be calculated by applying the annualized salary increase provided to the employee in (1) of this section to the service provided by the employee in the respective position in the 2021-22 fiscal year prior to the effective date of the increase in subdivision (1).

Section 17.3

Amends GS 58-86-55(d1), concerning the Firefighters' and Rescue Squad Workers' Pension Fund, as follows. Adds that if the member became a member prior to July 1, 2018, and had not designated a principal beneficiary prior to being killed in the line of duty, the member's living spouse must be paid, upon the spouse's application to the Board, \$170 per month beginning the month following the member's month of death, payable until the spouse's death. Also adds that if the member became a member prior to July 1, 2018, and had not designated a principal beneficiary prior to being killed in the line of duty, the member's living spouse must be paid upon the spouse's application to the Board, \$170 per month beginning the month following the month the member would have attained age 55, or if the member had attained age 55, beginning the month following the member's month of death, payable until the spouse's death.

Section 17.4

Amends Section 39.2(j) of SL 2021-180 to provide that for the 2021-22 fiscal year only, the Office of State Budget and Management must transfer up to \$1.2 million of the funds remaining after the state employee bonuses are awarded in accordance with this section must be credited to the Department of State Treasurer, as needed and to the extent allowed under federal law, to pay for line of duty death benefits awarded by the Industrial Commission under Article 12A of GS Chapter 143 of the General Statutes. Requires any funds remaining after bonuses are awarded and funds are transferred under this section to be credited to the State Fiscal Recovery Fund.

Part XVIII. Capital

Section 18.1

Amends Section 40.17 of SL 2021-180, as enacted by Section 9.1(d) of SL 2021-189, by adding the following changes to the grants and funds allocated from the State Capital and Infrastructure Fund. Allows the specified funds to the Town of Valdese to also be used for capital improvements or repairs and renovations. Allows the specified funds for the Historic Hope David Stone House for 2021-22 to also be used for the repair and renovation of the historic buildings on its property in Bertie County. Requires the specified funds to the Town of Spindale for 2021-22 to be provided instead as a grant to Rutherford County for the expansion of the Town of Spindale EMS base. Requires the specified funds to the Town of Columbus for 2021-22 to instead be provided as a grant to Columbus County for capital improvements, subject to specified requirements. Requires the specified funds to Brunswick County for Ryley's Ranch Playground for 2021-22 to instead be provided as a grant to the Town of Varnamtown for an all-inclusive playground to be named Ryley's Ranch Playground. Requires the specified funds to New Hanover County for SEATech for 2021-22 to be provided instead as a grant to New Hanover County Schools for capital improvements at Southeast Area Technical High School. Allows the specified funds to Yadkin County for 2021-22 to be used for renovations. Requires the specified funds to the Town of Coats for 2021-22 to be provided instead as grants in the specified amounts to the Town of Coats for capital improvements and to the Coats Area Chamber of Commerce, Inc., a nonprofit corporation, for renovation of the community building. Requires the specified funds to Senior Resources of Guilford for 2021-22 to be provided as a grant to Senior Resources of Guilford for ongoing program support. Requires specified funds to the Community of Ash for 2021-22 to be provided as a grant to Brunswick County for capital improvements, subject to specified requirements. Requires the specified funds to the Town of Fairfield for 2021-22 to be provided instead as a grant to Fairfield Mountains Volunteer Fire Department, Inc., a nonprofit corporation, for expansion of the fire/EMS facility. Requires the specified funds to Swain County for street lighting and sidewalk improvements for 2021-22 to be provided instead as a grant to the Town of Bryson City for street lighting and sidewalk improvements. Requires the specified funds for Scotland Neck Senior Center for 2021-22 to be provided instead to the Town of Scotland Neck to be used for repairs and renovation of the senior center. Allows the specified funds for the Acme-McCrary Textile Mill for 2021-22 to be used to purchase property related to the renovation of the mill. Requires the specified funds for Cooleemee RiverPark Bridge for 2021-22 to be provided instead to RiverPark at Cooleemee Falls, Inc., a nonprofit corporation, for a new pedestrian bridge at Cooleemee RiverPark. Requires the specified funds for Martin and Edgecombe Counties for 2021-22 to be provided instead as a grant to Opportunities Industrialization Center, Inc., a nonprofit corporation in Rocky Mount, for a mobile medical unit. Allows the specified funds to the Town of Dover for 2021-22 to also be used for the construction of a new community center. Allows the specified funds to the Piedmont Triad Charitable Foundation to also be used to offset expenditures incurred for the purpose of the grant prior to

July 1, 2021. Requires the specified funds for Big Hungry Dam for 2021-22 to be provided instead to Friends of the Ecusta Trail, Inc., a nonprofit corporation, for the removal of the Big Hungry Dam. Allows the specified funds for Halifax Community College Manufacturing Center for 2021-22 to be used for replacement of the water line/water loop on campus. Requires the specified funds to the Town of Sylva for 2021-22 to be used for Bryson Park capital improvements and playground equipment. Allows the specified funds to the City of Lumberton for 2021-22 to also be used for other infrastructure. Requires the specified funds for Jones County Library for 2021-22 to be provided instead as a grant to Jones County Public Library for the renovation of the public library. Requires the specified funds to Mayland Community College of Avery County for 2021-22 to be provided instead as a grant to Mayland Community College Foundation, Inc., a 35 nonprofit corporation, to be used for improvements to Three Peaks Enrichment Center. Requires the specified funds for Richmond Community College Truck Driver Training Project for 2021-22 to be used for a truck driver training program. Requires the specified funds for Woodlake Dam for 2021-22 to be provided instead as a grant to Woodlake Property Owners Association, Inc., a nonprofit corporation, for repairs to Woodlake Dam. Requires the specified funds for Randolph County Hospital Psychiatric Unit for 2021-22 to be provided instead as a grant to Randolph County to be used for healthcare. Requires the specified funds for Carteret Community College Culinary Program for 2021-22 to be provided instead as a grant to Carteret Community College to be used for capital improvements. Allows the specified funds for the Town of Falcon for 2021-22 to be used for capital improvements, subject to specified requirements. Requires the specified funds for Davidson-Davie Community College for 2021-22 to be provided instead to Davidson-Davie Community College to be used for the construction of the Davidson-Davie Community College Regional Training and Distribution Center. Requires the specified funds for Catawba Valley Community College Regional Building for the 2021-23 biennium to be provided instead to the City of Hickory for the construction of a new regional advising center and flexible use space for educational training at Catawba Valley Community College. Requires the specified funds for the Town of Lake Waccamaw for 2021-22 to be provided instead as a grant to Columbus County for pedestrian and bike trails to be constructed in and adjacent to Lake Waccamaw State Park. Requires the specified funds for Nikwasi Town Cherokee Settlement for 2021-22 to be instead provided as a grant in the specified amount to Mainspring Conservation Trust, Inc., a nonprofit corporation, for the purchase of land at the site of the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County with a conservation and preservation easement to be held by the Department of Natural and Cultural Resources, and as a grant in the specified amount to the Department of Natural and Cultural Resources for the purchase of a conservation and preservation easement of approximately at the site of the Cherokee settlement of Nikwasi Town. Allows the specified funds for Pamlico County Library for 2021-22 to be used for capital and equipment purposes at the library. Allows the specified funds for Severn Fire Department for 2021-22 to be used to purchase a fire truck and fire truck equipment. Amends the allowable uses of the \$1.5 million appropriation from the State Capital and Infrastructure Fund to the Office of State Budget and Management for 2021-22 that was allocated in the form of a grant to the City of Lenoir for water and sewer projects to now requires instead that specified amounts be used for greenway expansion and downtown improvements.

Section 18.2

Amends Section 40.3 of SL 2021-180 by adding that no local match is required for the North Topsail Beach Shoreline Protection – Phases 1-4 project.

Section 18.3

Amends Section 40.16 of SL 2021-180 by expanding upon the allowable uses of funds appropriated from the State Capital and Infrastructure Fund for Local Government Infrastructure Grants to also allow funds to be used for any property owned by any local government member of a regional council of government. Adds that funds may also be used by the grant recipient for the purchase of real property, acquisition of easements, and the purchase of equipment and vehicles.

Section 18.4

Amends Section 40.6 of SL 2021-180 by adding an effective date of July 1, 2022, to the changes made to GS 143-341(3) concerning powers and duties of the Department of Administration related to architecture and engineering.

Part XIX. Transportation

Section 19.1

Amends GS 20-79.4 by removing reference to issuance of a clerk of superior court license plate, which expired in 2016. Amends GS 20-79.6, concerning special license plates for members of the judiciary, to include a plate issued to a clerk of superior court; sets out requirements for the plate's design.

Section 19.2

Amends SL 2021-180 by adding a new section that amends the appropriations in the specified amounts for 2021-22 as follows. Requires funds appropriated from the State Emergency Response and Disaster Relief Fund(SERDRF) to the Department of Transportation (DOT) for waterflow issues from the roadwork upstream from the Town of Aberdeen and to repair the dam in front of the Bethesda Presbyterian Church to be directed to the Bethesda Presbyterian Church for that same purpose. Requires funds appropriated SERDRF to DOT for the Town of Princeton to be used for drainage improvement expenditures at Princeton High School. Requires that \$14,896,567.18 in nonrecurring funds be substituted for the \$15,800,000 in nonrecurring funds for the "Ferry Revenues – Route 20 Specific Fund Codes," and the net change to be adjusted accordingly.

Section 19.3

Amends GS 136-82(h), to requires that beginning with the 2021-22 fiscal year, no later than 45 days after the first day of the fiscal year, the Department of Transportation shall transfer from the Highway Fund to the Ferry Capital Special Fund all unexpended funds appropriated to the Ferry Division's budget from the prior fiscal year (was, to the Ferry Systemwide fund code of the Ferry Capital Special Fund). Requires any funds categorized as unencumbered to be deposited in the Ferry Systemwide fund code. Requires any funds categorized as encumbered to be deposited into a specified fund code for encumbrances.

Part XX. Other Corrections

Section 20.1

Amends GS 90A-25 as follows. Provides that water treatment facility operator certificates must be (was, may be) issue a certificate, without examination, in a comparable grade to any person who holds a certificate in any US state, territory or possession, if in the judgment of the Board of Certification the requirements for operators under which the person's certificate was issued are of a standard not lower than that specified under rules and regulations adopted under Article 2 (now longer requires that the requirements under which the person's certificate was issued not conflict with Article 2).

Amends GS 90A-40 to require that (was, allow that) a certificate for water pollution control system operators be issued in an appropriate grade without examination to any person who is properly registered on the "National Association of Boards of Certification" reciprocal registry and who meets all other requirements of rules adopted under Article 3.

Section 20.2

Allows the Town of Lake Lure to make, adopt, and enforce ordinances regulating the installation, location, condition, and removal of the pilings of any dock, pier, or similar structure driven down into the lake bed of Lake Lure. Also allow the Town to provide for the enforcement of ordinances adopted under this authority. Gives the Town's duly sworn law enforcement officers authority to enforce these ordinances. Provides that the State or federal rule or regulation supersedes and prevails over the local ordinance to the extent of any conflict that arises.

Section 20.4

Amends Section 1 of SL 2012-177, as amended, by amending the conveyance of the former Cleveland County Correctional Facility from the State to the Board of Trustees of Cleveland Community College, by decreasing the size of the parcel and adding the inclusion of an access easement. Effective when the act becomes law.

Section 20.6

Repeals SL 1997-183 which required the Mitchell County Board of Elections to provide for at least one voting place within every township in the County that was in existence on January 1, 1995.

Section 20.6A

Amends Section 1(e) of SL 2021-56 by amending election dates with respect to any elected office with an election delayed to 2022 under the act, as follows. Sets the primary election for any municipality elected by the partisan primary and election method, as May 17, 2002 (was, March 8, 2022) and the general election as July 26, 2022 (was, the date of any second primary held under GS 163-111 and April 26 if no second primary was held). Makes the same changes for elections in any municipality elected by the nonpartisan primary and election method. Sets the election date for any municipality elected by the nonpartisan plurality method, as May 17, 2022 (was, March 8, 2022). Sets the election date for any municipality elected by the nonpartisan

elections and runoff method as May 17, 2022 (was, March 8, 2002) and any runoff held July 26, 2022 (was, on the date of any second primary held under GS 163-111 or April 26 if no second primary is held).

Repeals Section 1.5 of SL 2021-56 which (1) amended GS 163-111 to (a) eliminate the prohibition against registering voters between the dates of first and second primaries and instead allow for persons to register to vote after the day of the first primary, entitling the voter to vote in the second primary (previously, limited to persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary), subject to GS 163-82.6, which provides for voter registration requirements and limitations, and GS 163-82.6A, which permits address and name changes to a voter's registration at one-stop sites, (b) add a new prohibition barring persons from changing party affiliation or unaffiliated status between the date of a primary and second primary; (2) amended GS 163-82.6(f), which provided for instances in which a person can register and vote on primary or election day if the person becomes qualified between the 25th day before a primary or election, by eliminating the prohibition against registering on the day of a second primary unless the person becomes qualified between the date of the first primary and the date of the succeeding second primary, and; (3) amended GS 163-302, which sets parameters for absentee voting, to no longer cross-reference statutorily set filing deadlines and instead generally reference the filing deadlines for county boards to secure official ballots with respect to the required availability of absentee ballots for municipal elections, special district elections, and other elections for an area less than an entire county other than NCGA elections. These provisions would have been effective March 9, 2022, and expired on June 1, 2022.

The above provisions are effective when the act becomes law. The following provisions are effective when they becomes law and expire on August 1, 2022.

Amends GS 163-111 as follows. Specifies that if a second primary is required under the statute, the appropriate board of elections, State or county, must order that it be held 10 weeks after the first primary (was, only if any of the offices for which a second primary is required are for a candidate for the office of United States Senate or member of the United States House of Representatives. Otherwise, the second primary shall be held seven weeks after the first primary). Eliminates the prohibition against registering voters between the dates of first and second primaries. Now allows for persons to register to vote after the day of the first primary, entitling the voter to vote in the second primary (previously, limited to persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary), subject to GS 163-82.6, which provides for voter registration requirements and limitations, and GS 163-82.6A, which permits address and name changes to a voter's registration at one-stop sites. Adds a new prohibition barring persons from changing party affiliation or unaffiliated status between the date of a primary and second primary.

Amends GS 163-82.6(f), which provides for instances in which a person can register and vote on primary or election day if the person becomes qualified between the 25th day before a primary or election. Eliminates the prohibition against registering on the day of a second primary unless the person becomes qualified between the date of the first primary and the date of the succeeding second primary.

Amends GS 163-302, which sets parameters for absentee voting, to no longer cross-reference statutorily set filing deadlines and instead generally reference the filing deadlines for county boards to secure official ballots with respect to the required availability of absentee ballots for municipal elections, special district elections, and other elections for an area less than an entire county other than NCGA elections.

Section 20.7

Amends GS 105-130.5(b) by expanding upon the allowable deductions from federal taxable income when determining State net income to also include the amount received by a taxpayer under the ReTOOLNC grant program for recovery from the economic impacts of the COVID-19 pandemic, and the rent and utility assistance pursuant to Section 3.3 of SL 2020-4, as amended.

Amends GS 105-153.5(b) to also allow a taxpayer, when calculating North Carolina taxable income, to deduct from the taxpayer's adjusted gross income the amount received from ReTOOLNC grant program for recovery from the economic impacts of the COVID-19 pandemic, and the rent and utility assistance pursuant to Section 3.3 of SL 2020-4, as amended.

Effective for taxable years beginning on or after January 1, 2020, and applies to amounts received by a taxpayer on or after that date.

Section 20.9

Amends GS 87-1.1, as amended, as follows. Adds to the criteria that must be satisfied for plumbing and heating contractors licensed under Article 2 (Article 2 licensees) and electrical contractors licensed under Article 4 (Article 4 licensees) of GS Chapter 87 to be exempt from the general contractor licensure requirements of GS 87-1, for Article 2 licensees to be exempt from the electrical contractor licensure requirements of GS 87-43, and Article 4 licensees to be exempt from the plumbing and heating licensure requirements of GS 87-21(a)(5). Add that (1) the total amount of the work under the classifications in Article 2 must not exceed a percentage of the total bid price pursuant to rules established by the State Board of Examiners of Electrical Contractors; and (2) the total amount of the work under the classifications in Article 4 does not exceed a percentage of the total bid price pursuant to rules established by the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors.

Allows the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors and the State Board of Examiners of Electrical Contractors to adopt temporary rules to implement these provisions.

Effective when the act becomes law.

Section 20.10

Requires supply and return air ducts located in ventilated or non-ventilated unconditioned spaces to be insulated to a minimum R-4.2. Requires the adoption of temporary rules to amend the Residential Spaces Insulation Rule consistent with this provision. Provides that until the effective date of the temporary rule, the Code is to be enforced according to this provision instead of the Residential Spaces Insulation Rule with respect to minimal insulation requirements for supply and return air ducts located in ventilated or non-ventilated unconditioned spaces.

Section 20.10A

Requires Supply and return air ducts located in ventilated or non-ventilated unconditioned spaces to be insulated with a minimum of R-4 insulation in Climate Zones 3 and 4 and a minimum of R-6 insulation in Climate Zone 5. Requires the adoption of temporary rules to amend the Commercial Spaces Insulation Rule consistent with this provision. Provides that until the effective date of the temporary rule the Code is to be enforced according to this provision as it relates to the Commercial Spaces Insulation Rule with respect to the minimal insulation requirements for supply and return air ducts located in ventilated or non-ventilated unconditioned spaces in Climate Zones 3 through 5.

Temporary rules adopted by the Council pursuant to Section 20.10 and Section 20.10A expire two years after the date this section becomes law. Sections 20.10 and 20.10A are effective when the act becomes law.

Section 20.11

Amends Section 4.2 of SL 2020-4, as amended, by making the following changes to the requirements for grants made by Golden LEAF for the purpose of making emergency loans to assist small businesses with business needs during periods of economic hardship occasioned by the COVID-19 pandemic. Clarifies that a triggering event upon which repayment of the loan commences, occurs at the time specified in the loan documents, provided it is not more than 18 months following the closing of a loan made under the program. Allows lenders to take prudent and commercially reasonable efforts to remedy a default, a likelihood of default, or bankruptcy filing by a business, including restructuring the terms of a loan and entering into settlement agreements, if the interest rate is not reduced below prime rate and the term of the loan is not extended by more than 36 months. Makes conforming changes. Adds a definition of prime rate. Requires by March 15, 2022 (was, on the date the authority to award new loans using State funds appropriated in the section ceases and every six months thereafter), requires Golden LEAF to remit the net loan funds that have been received, to be deposited into the Coronavirus Relief Reserve. Change the reporting requirements to now require a report on the program on or before March 15, 2022, and every six months thereafter until Golden LEAF has remitted the entirety of the net loan funds. Effective when the act becomes law.

Section 20.12

Amends GS 93B-2 to provide that the annual reports from occupational licensing boards and State agency licensing boards must include the number of applicants who are who are active duty military or military veterans (was, who had military training). Effective when the act becomes law.

Section 20.13

Amends GS 62-110 to allow the Utilities Commission to adopt procedures that allow a lessor of any leased residential premises (was, a lessor) to charge for the costs of providing water or sewer service to persons who occupy the leased premises.

Amends the conditions that apply to such charges as follows. Allows the lessor to equally divide the amount of the water and sewer bill for a unit among all the lessees in the unit and may send one bill to each lessee. Requires prorating the amount when a lessee has not leased the unit for the same number of days as the others. Allows an administrative fee up to the specified amount and a late fee in an amount determined by the Commission. Prohibits charging the cost of water and sewer from any other unit or common area in a lessee's bill. Makes conforming changes. Allows the Commission to adopt procedures that allow a lessor of any leased residential premises (was, of a single-family dwelling, residential building, or multiunit apartment complex) that has individually metered units for electric service in the lessor's name to charge for the actual costs of providing electric service to each lessee. Allows the Commission to adopt procedures to allow a lessor of any leased residential premises (was, of a single-family dwelling, a residential building, or multiunit apartment complex) that has individually metered units for natural gas service in the lessor's name to charge for the actual costs of providing natural gas service to each lessee. Effective when the act becomes law.

Section 20.15

Amends 105-153.5(b) (individual income tax) and GS 105-130.5(b) (corporate income tax) to allow a deduction from the taxpayer's adjusted gross income the amount by which the deduction for an ordinary and necessary business expense was required to be reduced or was not allowed under the Code because the taxpayer claimed a federal employee retention tax credit against employment taxes in lieu of a deduction. Specifies that this deduction is allowed only to the extent that a similar credit is not allowed by this Chapter for the amount. Effective retroactively for taxable years beginning on or after January 1, 2020.

Section 20.16

Requires by May 1, 2022, the State agency for State surplus property to establish a method for disposing of certain Department of Transportation (DOT) surplus rail and ferry equipment, as designated by DOT, by live public auction and via live simulcast or electronic means without requiring the movement of DOT surplus property. Requires the State agency for State surplus property to prepare a request for proposal (RFP) pursuant for a public auction conducted by a private licensed auctioneer. Requires the RFP to be issued by July 1, 2022. Sets out additional requirements governing the auction. Requires net proceeds of the auction for surplus rail equipment to be credited to the Rail Equipment Overhaul Fund, and net proceeds of the auction for surplus ferry equipment to be credited to the Ferry Systemwide Fund Code. Requires the RFP to include 11 specified auctioneer requirements. Requires that by August 1, 2022, the State agency for State surplus property review the proposals submitted and enter into a contract with the lowest responsible bidder who provides evidence satisfactory to the State agency for State surplus property that it meets the requirements of the RFP. Requires a report on the auction results to the specified NCGA committee by June 1, 2023.

Section 20.17

Requires that the \$15 million appropriated in SL 2021-180 to the North Carolina League of Municipalities for audit software be used instead for financial software and assistance programs for units of local government for expenses related to the COVID-19 pandemic.

Part XXI.

Includes a severability clause.

Requires the Director of the Budget to recertify the budget for the 2021-2023 fiscal biennium to reflect any change set forth in this act to the total requirements, receipts, or net appropriations for a budget code.

Effective July 1, 2021, unless otherwise provided.

Changes the act's titles.

Intro. by Hardister, Hurley, Pickett, Terry.

[APPROP](#), [UNCODIFIED](#), [Avery](#), [Bertie](#), [Brunswick](#), [Burke](#), [Carteret](#), [Catawba](#), [Cleveland](#), [Columbus](#), [Craven](#), [Cumberland](#), [Dare](#), [Davidson](#), [Davie](#), [Edgecombe](#), [Guilford](#), [Halifax](#), [Harnett](#), [Hyde](#), [Jackson](#), [Jones](#), [Martin](#), [Mitchell](#), [New Hanover](#), [Northampton](#), [Pamlico](#), [Pender](#), [Randolph](#), [Richmond](#), [Robeson](#), [Rutherford](#), [Sampson](#), [Swain](#), [Yadkin](#), [GS 7A](#), [GS 15A](#), [GS 20](#), [GS](#)

58, GS 62, GS 87, GS 90A, GS 93B, GS 105, GS 113, GS 115C, GS 116, GS 120, GS 126, GS 136, GS 143, GS 143B, GS 163

Agriculture, Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Court System, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, Cultural Resources and Museums, Elections, General Assembly, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Commerce, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of Transportation, State Board of Education, State Government, State Personnel, Tax, Local Government, Health and Human Services, Health, Public Health, Military and Veteran's Affairs, Public Enterprises and Utilities, Transportation

[View summary](#)

H 981 (2021) [EXPRESSING SUPPORT FOR UKRAINE](#). Filed Mar 9 2022, *A HOUSE RESOLUTION EXPRESSING SUPPORT FOR UKRAINE AS ITS PEOPLE FIGHT FOR FREEDOM AND URGING THE UNITED STATES CONGRESS TO INCREASE DOMESTIC ENERGY PRODUCTION.*

Includes whereas clauses.

States the House's support for the people of Ukraine. Urges the federal government to hold the Russian government accountable, provide humanitarian aid to Ukrainians, and reduce US dependence on foreign oil, specifically by increasing domestic production.

Urges the US Congress to amend the Foreign Sovereign Immunities Act (FSIA), as identified, to provide more effective resources for state pension funds and other institutional investors to hold corrupt regimes and foreign state-owned corporations accountable in US Courts for their actions.

Directs that copies of the resolution be sent to specified federal legislators and the US President.

Intro. by Moore.

[HOUSE RES](#)

[View summary](#)

Banking and Finance, Employment and Retirement, Environment, Energy, Environment/Natural Resources, Government, State Government

PUBLIC/SENATE BILLS

S 748 (2021) [ADJOURNMENT RESOLUTION TO DATE CERTAIN](#). Filed Mar 8 2022, *A JOINT RESOLUTION ADJOURNING THE 2021 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN AND LIMITING THE MATTERS THAT MAY BE CONSIDERED UPON RECONVENING.*

Senate amendment amends the 1st edition by revising Section 1 to now provide that when the House of Representatives and the Senate adjourn on March 11, 2022 (was, March 10, 2022), they stand adjourned to reconvene on Monday, April 4, 2022, at noon.

Intro. by Rabon.

[JOINT RES](#)

[View summary](#)

[Government, General Assembly](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 243: BUDGET TECHNICAL CORRECTIONS (NEW).

Senate: Conf Com Reported

Senate: Placed on Today's Calendar

House: Conf Com Reported

House: Cal Pursuant Rule 44(d)

House: Placed On Cal For 03/10/2022

Senate: Conf Report Adopted

H 975: CONFIRM KAREN KEMERAIT, UTILITIES COMMISSION.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 981: EXPRESSING SUPPORT FOR UKRAINE.

House: Filed

S 173: FREE THE SMILES ACT. (NEW)

Senate: Failed To Override Veto

Senate: Reconsidered Motion to Override Veto

Senate: Re-ref Com On Rules and Operations of the Senate

S 748: ADJOURNMENT RESOLUTION TO DATE CERTAIN.

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/10/2022

House: Placed On Cal For 03/10/2022

No local actions on bills

© 2022 School of Government The University of North Carolina at Chapel Hill

This work is copyrighted and subject to "fair use" as permitted by federal copyright law. No portion of this publication may be reproduced or transmitted in any form or by any means without the express written permission of the publisher. Distribution by third parties is prohibited. Prohibited distribution includes, but is not limited to, posting, e-mailing, faxing, archiving in a public database, installing on intranets or servers, and redistributing via a computer network or in printed form. Unauthorized use or reproduction may result in legal action against the unauthorized user.

[Print Version](#)