

1 Sterilization Program to study proposals to compensate persons sterilized under the Program;
2 and

3 Whereas, the General Assembly finds that persons sterilized as a result of the
4 Eugenics Sterilization Program should be compensated; Now, therefore,
5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** Any person who, as a result of the Eugenics Sterilization Program
7 in this State, was sterilized between the years 1929 and 1975 shall receive compensation as
8 provided for in this section if the person submits a claim before June 30, 2014.

9 **SECTION 1.(b)** A claim under this section may be submitted to the Department of
10 Health and Human Services. The claim shall be supported by appropriate verification and
11 information as determined by the Department.

12 **SECTION 1.(c)** The Department shall determine the eligibility of a claimant to
13 receive the compensation authorized by this section. The Department shall notify the claimant
14 by mail of its determination regarding the claimant's eligibility.

15 **SECTION 1.(d)** The Department shall adopt rules that will assist in the fair
16 determination of eligibility and the processing of claims. The Department, however, shall not
17 be obligated to notify any person of possible eligibility for compensation.

18 **SECTION 1.(e)** A claimant under this section who is determined eligible by the
19 Department shall receive twenty thousand dollars (\$20,000). All claims which the Department
20 determines are eligible for compensation shall be immediately forwarded to the State Treasurer,
21 who shall issue warrants in the appropriate amounts upon demand and verification of identity.

22 **SECTION 2.** There is established the Eugenics Sterilization Compensation Fund.
23 Funds appropriated to this Fund shall not revert until the claims verified by the Department of
24 Health and Human Services under Section 1 of this act are paid. The Fund shall be kept on
25 deposit with the State Treasurer, as in the case of other State funds, and may be invested by the
26 State Treasurer in any lawful security for the investment of State money. The Fund is subject to
27 the oversight of the State Auditor pursuant to Article 5A of Chapter 147 of the General
28 Statutes.

29 **SECTION 3.** There is appropriated from the General Fund to the State Treasurer
30 the sum of eighteen million four hundred eighty thousand dollars (\$18,480,000) for the
31 2009-2010 fiscal year to fund the Eugenics Sterilization Compensation Fund. There is
32 appropriated from the General Fund to the Department of Health and Human Services the sum
33 of one hundred sixty-five thousand dollars (\$165,000) for the 2009-2010 fiscal year to
34 administer Section 1 of this act.

35 **SECTION 4.** This act becomes effective July 1, 2009.