

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

5

HOUSE BILL 1023  
Committee Substitute Favorable 10/30/19  
Third Edition Engrossed 10/30/19  
Senate Appropriations/Base Budget Committee Substitute Adopted 6/23/20  
Fifth Edition Engrossed 6/24/20

Short Title: Coronavirus Relief Fund/Additions & Revisions.

(Public)

Sponsors:

Referred to:

October 22, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ADDITIONAL AND REVISED USES FOR FEDERAL CORONAVIRUS RELIEF FUNDS; TO PROVIDE ADDITIONAL FUNDING FOR SCHOOL NUTRITIONAL NEEDS; TO EXTEND THE ABILITY OF CERTAIN GOVERNMENTAL RETIREES TO ENGAGE IN PART-TIME EMPLOYMENT WITHOUT AFFECTING RETIREMENT; TO PROVIDE FUNDING FOR THE IMPLEMENTATION OF THE SCHOOL BUSINESS SYSTEM MODERNIZATION PLAN; TO WAIVE MATCH REQUIREMENTS FOR A CERTAIN COMPETITIVE GRANT PROCESS FOR NONPROFITS; AND TO MAKE OTHER CHANGES.

The General Assembly of North Carolina enacts:

**PART I. REVISIONS TO S.L. 2020-4**

**SECTION 1.1.(a)** Section 2.3 of S.L. 2020-4 reads as rewritten:

**"SECTION 2.3.** The State Controller shall establish a Local Government Coronavirus Relief Reserve (Local Reserve) in the General Fund to maintain certain federal funds transferred from the Reserve established in Section 2.1 of this act that are eligible to mitigate the impact of the COVID-19 outbreak in North Carolina on the revenue of local governments. The State Controller shall transfer the sum of three hundred million dollars (\$300,000,000) from the Reserve to the Local Reserve. ~~It is the intent of the General Assembly to appropriate a sum of up to one hundred fifty million dollars (\$150,000,000) if local governments experience a revenue shortfall and the CARES Act, P.L. 116-136, is amended to allow the use of federal funds for that purpose.~~ Funds that are reserved in the Local Reserve do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution."

**SECTION 1.1.(b)** Section 3.1 of S.L. 2020-4, as amended by Section 1 of S.L. 2020-32, reads as rewritten:

**"SECTION 3.1.** Transfer of Funds from Reserves to Relief Fund. – The State Controller shall transfer the sum of ~~one billion five hundred seventy-five million nine hundred eighty-eight thousand twenty-nine dollars (\$1,575,988,029)~~ one billion seven hundred ninety-five million nine hundred eighty-eight thousand twenty-nine dollars (\$1,795,988,029) for the 2019-2020 fiscal year from the Reserve established in Section 2.1 of this act, and the sum of ~~one three hundred fifty million dollars (\$150,000,000)~~ (\$300,000,000) for the 2019-2020 fiscal year from the Local Government Coronavirus Relief Reserve established in Section 2.3 of this act, to the Fund established in Section 2.2 of this act."



1           **SECTION 1.1.(c)** Section 3.2 of S.L. 2020-4, as amended by Section 2 of S.L. 2020-  
2 32, reads as rewritten:

3           **"SECTION 3.2.** Appropriation of Funds from Relief Fund to OSBM. – There is appropriated  
4 from the Fund to OSBM the sum of ~~one billion seven hundred twenty-five million nine hundred~~  
5 ~~eighty-eight thousand twenty-nine dollars (\$1,725,988,029)~~two billion ninety-five million nine  
6 hundred eighty-eight thousand twenty-nine dollars (\$2,095,988,029) in nonrecurring funds for  
7 the 2019-2020 fiscal year to be allocated and used as provided in Section 3.3 of this act. The  
8 funds appropriated in this section shall not revert at the end of the 2019-2020 fiscal year but shall  
9 remain available to expend until December 30, 2020."

10           **SECTION 1.1.(d)** Section 3.3 of S.L. 2020-4 reads as rewritten:

11           **"SECTION 3.3.** Allocations of Funds. – OSBM shall allocate the funds appropriated in  
12 Section 3.2 of this act as follows:

13           ...

14           (2)       ~~\$150,000,000~~\$300,000,000 to OSBM for allocation to counties ineligible to  
15 receive direct funding from the federal Coronavirus Relief Fund established  
16 by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L.  
17 116-136. OSBM shall allocate these funds by providing each county eligible  
18 to receive funding under this section a base allocation of two hundred fifty  
19 thousand dollars (\$250,000), with the remaining funds distributed to eligible  
20 counties on a per capita basis using the United States Census Bureau's Vintage  
21 2019 county population totals. A county ~~may~~shall allocate ~~a portion~~at least  
22 twenty-five percent (25%) of these funds for use by municipalities within the  
23 county, but only if the transfer qualifies as a necessary expenditure incurred  
24 due to the public health emergency and meets the other criteria of section  
25 601(d) of the Social Security Act. ~~Such~~The county shall determine the total  
26 amount allocated to a municipality within the county. If a municipality that  
27 receives funds under this subdivision does not have a plan to spend the funds  
28 developed by September 1, 2020, the municipality shall return the funds to the  
29 county for use by the county or redistribution to other municipalities within  
30 the county. Additionally, the funds allocated in this subdivision are subject to  
31 recoupment by the United States Treasury Inspector General if they have not  
32 been used in a manner consistent with section 601(d) of the Social Security  
33 Act. Further, the funds may only be used to support expenditures by counties  
34 and municipalities that are consistent with the most recently published United  
35 States Treasury Department guidance for the federal Coronavirus Relief Fund.  
36 Counties and municipalities are liable to the State for any misuse or  
37 mishandling of these funds, and subject to clawback and other appropriate  
38 measures, including the reduction or elimination of other State funds. Any  
39 local government officer, official, or employee who violates this section shall  
40 be subject to a civil action by the State and held personally liable to reimburse  
41 the State. Beginning October 1, 2020, and then quarterly thereafter, each  
42 county and municipality receiving funds under this subdivision shall report to  
43 OSBM on the use of allocated funds until all funds are expended and  
44 accounted for.

45           ...

46           (4)       \$300,000,000 to OSBM to allocate to the General Maintenance Reserve in the  
47 Highway Fund for the Department of Transportation; provided that OSBM  
48 shall not transfer these allocated funds to the Department for use until the  
49 guidelines in "Coronavirus Relief Fund Guidance for State, Territorial, Local,  
50 and Tribal Governments," dated April 22, 2020, are revised by the United  
51 States Department of the Treasury to authorize the use of funds from the

1 Coronavirus Relief Fund for the purpose of replacing lost revenue due to the  
 2 COVID-19 emergency, or a subsequent act of Congress authorizes the use of  
 3 funds from the Coronavirus Relief Fund for the purpose of replacing lost  
 4 revenue due to the COVID-19 emergency. 30 days prior to the transfer of  
 5 funds pursuant to this subsection, OSBM shall submit a report to the Joint  
 6 Legislative Commission on Governmental Operations. On or before April 1,  
 7 2021, the Department shall submit a report on the status of utilizing these  
 8 funds and a revenue update to the Joint Legislative Transportation Oversight  
 9 Committee (JLTOC) and the Fiscal Research Division. The Governor may not  
 10 use the funds described in this subdivision to make budget adjustments under  
 11 G.S. 143C-6-4 or to make reallocations under G.S. 166A-19.40(c).  
 12 Notwithstanding Section 3.2 of this act, if, ~~by June 15, 2020,~~ by September 1,  
 13 2020, the guidelines in "Coronavirus Relief Fund Guidance for State,  
 14 Territorial, Local, and Tribal Governments," dated April 22, 2020, are not  
 15 revised by the United States Department of the Treasury to authorize the use  
 16 of funds from the Coronavirus Relief Fund for the purpose of replacing lost  
 17 revenue due to the COVID-19 emergency, or a subsequent act of Congress  
 18 does not authorize the use of funds from the Coronavirus Relief Fund for the  
 19 purpose of replacing lost revenue due to the COVID-19 emergency, the State  
 20 Controller shall transfer the funds described in this subdivision to the Reserve  
 21 and the funds shall remain unspent until appropriated by an act of the General  
 22 Assembly.

23 ...

24 (6) \$75,000,000 to the Department of Public Instruction for emergency school  
 25 nutrition services—services, including innovative school meals, provided to  
 26 students in response to COVID-19 by public school units participating in the  
 27 National School Lunch Program—Program, School Breakfast Program  
 28 Program, or Summer Food Service Program from March 16, 2020, through  
 29 ~~the end of the 2019-2020 school year.~~ December 30, 2020. Funds for these  
 30 services shall be allocated in the same manner as if the participating public  
 31 school units were reimbursed by school meal receipts or federal funds.

32 ...

33 (32) ~~\$5,000,000~~ \$7,425,000 to OSBM to allocate to the North Carolina Association  
 34 of Free and Charitable Clinics (NCAFCC), a nonprofit organization, to be  
 35 used for distribution to its member clinics to cover the cost of eligible health  
 36 services provided during the COVID-19 ~~emergency.~~ emergency and other  
 37 costs allowed pursuant to federal guidance. By August 1, 2020, NCAFCC  
 38 shall report to the Joint Legislative Oversight Committee on Health and  
 39 Human Services and the Fiscal Research Division on a plan for allocating the  
 40 funds received under this section, and by February 1, 2021, on the use of these  
 41 funds by recipients.

42 ...

43 (34) ~~\$5,000,000~~ \$7,425,000 to OSBM to allocate to the North Carolina  
 44 Community Health Centers—Center Association (NCHCA), (NCCHCA), a  
 45 nonprofit organization, to be used for distribution to its member health centers  
 46 to cover the cost of eligible health services provided during the COVID-19  
 47 ~~emergency.~~ emergency and other costs allowed pursuant to federal guidance.  
 48 By August 1, 2020, ~~NCHCA—NCCHCA~~ shall report to the Joint Legislative  
 49 Oversight Committee on Health and Human Services and the Fiscal Research  
 50 Division on a plan for allocating the funds received under this section, and by  
 51 February 1, 2021, on the use of these funds by recipients.

- 1 ...
- 2 (42) ~~\$2,250,000–\$3,550,000~~ to the Department of Health and Human Services,  
3 Division of Social Services, to assist in serving children in foster care during  
4 the COVID-19 emergency. These funds shall be used for monthly  
5 supplemental payments in the amount of one hundred dollars (\$100.00) for  
6 each child receiving foster care assistance payments ~~for the months of~~  
7 beginning with the month of April 2020, through June 2020,2020 and  
8 continuing until funds are exhausted.
- 9 ...
- 10 (44) ~~\$5,000,000–\$15,000,000~~ to the Department of Commerce for a North Carolina  
11 nonprofit corporation with which the Department contracts pursuant to  
12 G.S. 143B-431.01(b) as a stimulus investment in Visit North Carolina's  
13 marketing budget to be used for the following purposes and in the following  
14 amounts:
- 15 a. ~~\$4,500,000–\$14,500,000~~ for developing COVID-19-specific concepts,  
16 strategies, and materials tailored to educate people on ways to (i) travel  
17 in a safe and socially distant way and (ii) prevent community  
18 reintroduction of the pandemic.
- 19 b. \$500,000 for research tools and analysis necessary to implement the  
20 provisions of this subdivision.
- 21 ...
- 22 (47) \$10,000,000 to the Department of Agriculture and Consumer Services to be  
23 used in accordance with Section 4.2A of this act.
- 24 (48) \$2,000,000 to the General Assembly to be used to cover allowable costs  
25 incurred as a result of the COVID-19 pandemic.
- 26 (49) \$750,000 to the Department of Information Technology, Government Data  
27 Analytics Center (GDAC), to develop a COVID-19 economic analytics and  
28 reporting tool to provide insight into how State and federal assistance is  
29 impacting North Carolina businesses. The GDAC shall consult with the Office  
30 of State Budget and Management and the Golden LEAF Foundation on  
31 development of the tool and leverage its existing public-private partnerships  
32 to develop the platform.
- 33 (50) \$4,800,000 to the University of North Carolina at Chapel Hill to be used for  
34 the UNC School of Medicine's Asheville Campus, a joint program between  
35 the UNC School of Medicine, other UNC System universities, and the  
36 Mountain Area Health Education Center for COVID-19 related response  
37 activities, including outreach and education.
- 38 (51) \$15,000,000 to the Department of Commerce for grants awarded by the  
39 Economic Investment Committee pursuant to Section 4.2B of this act.
- 40 (52) \$120,000,000 to the Department of Public Safety, Division of Emergency  
41 Management to be used as the State match for any Federal Emergency  
42 Management Agency public assistance funds provided in response to the  
43 COVID-19 pandemic.
- 44 (53) \$2,600,000 to OSBM to provide additional funding for the statewide health  
45 information exchange network known as NC HealthConnex, in order to  
46 implement the following COVID-19 related operations and improvements for  
47 NC HealthConnex:
- 48 a. Building bidirectional data exchanges and patient matching services  
49 between NC HealthConnex and the State's electronic disease  
50 surveillance systems, NC Electronic Disease Surveillance System and  
51 NC Disease Event Tracking and Epidemiologic Collection Tool (NC

- 1                    DETECT), to better monitor the ongoing impact of COVID-19 in  
2                    North Carolina.
- 3                    b.    Developing public health dashboards to enable health care providers  
4                    to identify emerging trends and at-risk populations to support  
5                    operations and point of care decisions.
- 6                    c.    Providing COVID-19 test results delivery services to NC  
7                    HealthConnex participants to support care coordination and help  
8                    ensure the safety of frontline providers.
- 9                    d.    Providing care management teams with detailed clinical histories and  
10                   identification of emerging at-risk patients for improved patient care.
- 11                   e.    Developing a pilot analytics project to (i) identify skilled nursing  
12                   facilities, group homes, and other long-term care facilities at greatest  
13                   risk for COVID-19 outbreaks and associated complications, (ii) assist  
14                   state surveyors with quality assurance, and (iii) target specific public  
15                   health interventions, funding opportunities, policies, and patient safety  
16                   regulations that are most effective in preventing the spread of  
17                   infectious disease in these facilities.
- 18                   The purpose of this subdivision is to enable the use of near real-time data in  
19                   monitoring and analyzing the number of patients who have been confirmed  
20                   positive with, tested for, suspected of having, or received medical care for  
21                   symptoms associated with COVID-19, for a more complete understanding of  
22                   the true impact of the virus and to quickly identify emerging hotspots for  
23                   public health intervention. The OSBM shall work with the North Carolina  
24                   Health Information Exchange Authority (NC HIEA), consistent with NC  
25                   HIEA's duties under G.S. 90-515.7(12), to leverage existing public-private  
26                   partnerships for the development and implementation of the COVID-19  
27                   related operations and improvements described in this subdivision. The NC  
28                   HIEA shall execute any required contractual and interagency agreements  
29                   within 30 days after the effective date of this subdivision.
- 30                   (54) \$3,500,000 to the Administrative Office of the Courts to be used as a grant for  
31                   Caitlyn's Courage, Inc., in accordance with Section 4.2C of this act.
- 32                   (55) \$2,000,000 to the Wildlife Resources Commission, to be allocated to the  
33                   Outdoor Heritage Special Fund (Budget Code: 24351; Fund Code: 2291) for  
34                   the Outdoor Heritage Advisory Council's NC Schools Go Outside grant  
35                   program to provide local opportunities for young people to reengage with  
36                   learning experiences in safe outdoor settings.
- 37                   (56) \$400,000 to the Department of Natural and Cultural Resources for the State  
38                   Library's NC Kids Digital Library for enhancement of digital offerings to  
39                   students lacking physical access to local libraries due to the COVID-19  
40                   emergency.
- 41                   (57) \$400,000 to the Department of Natural and Cultural Resources to allocate to  
42                   the North Carolina Museum of History for (i) the development and  
43                   implementation of and access to virtual history programs for statewide student  
44                   educational purposes and (ii) online public access to the historical content of  
45                   the North Carolina Museum of History during the closure of facilities due to  
46                   the impact of "stay-at-home" orders.
- 47                   (58) \$1,000,000 to the Department of Natural and Cultural Resources to allocate  
48                   to the North Carolina Zoological Park ("Zoo") to facilitate and assist with the  
49                   costs of health and safety enhancements to protect the public and Zoo staff,  
50                   ensuring the limited reopening of the Zoo does not result in community spread  
51                   of COVID-19.

- 1           (59) \$725,000 to the Department of Commerce to allocate to the High Point  
2 International Home Furnishings Market Authority Corporation, a nonprofit  
3 corporation, to expand and enhance public health and safety measures to  
4 enable the Market to open during its international shows which are critical to  
5 North Carolina's economy and jobs.
- 6           (60) \$1,500,000 to the Department of Commerce for a North Carolina nonprofit  
7 corporation with which the Department contracts pursuant to  
8 G.S. 143B-431.01(b), for grants targeted for those areas of the State that are  
9 most dependent on the travel and tourism economy to promote North Carolina  
10 tourism as the State begins to reopen. The nonprofit corporation shall consult  
11 with the North Carolina Travel Industry Association, Inc., a nonprofit  
12 corporation, to disburse the grants described in this subdivision.
- 13           (61) \$500,000 to the Department of Commerce to allocate to the North Carolina  
14 Biotechnology Center to provide grants and educational job placement  
15 services to connect workers displaced or unemployed due to COVID-19 with  
16 essential job openings at life science companies that are currently working on  
17 treatment, therapy, vaccines, and equipment in response to COVID-19.
- 18           (62) \$2,500,000 to the Department of Commerce to be used in accordance with  
19 Section 4.2D of this act.
- 20           (63) \$7,000,000 to the Department of Public Instruction to provide personal  
21 protective equipment for public schools, in response to the COVID-19  
22 pandemic, to facilitate in-person instruction for the 2020-2021 school year.  
23 Personal protective equipment provided pursuant to this subdivision shall  
24 meet applicable federal standards and guidelines from the Centers for Disease  
25 Control and Prevention.
- 26           (64) \$5,000,000 to the Department of Public Instruction to hold in reserve and to  
27 award as grants, in the discretion of the Department, to public school units  
28 that apply for funds to provide access to services for exceptional children who  
29 have lost critical services as a result of school closures related to COVID-19.
- 30           (65) \$3,000,000 to the University of North Carolina at Pembroke for an advanced  
31 analytics project focusing on providing a better understanding of the nature  
32 and impact of the COVID-19 pandemic, particularly in rural and at-risk  
33 communities.
- 34           (66) \$2,000,000 to the University of North Carolina at Pembroke for the  
35 Department of Nursing in the College of Health Sciences for assistance with  
36 specialized medical and patient safety training to address the unique settings  
37 and procedures necessary when caring for COVID-19 patients in a variety of  
38 facility settings.
- 39           (67) \$5,000,000 to the Department of Health and Human Services, Division of  
40 Mental Health, Developmental Disabilities, and Substance Abuse Services, to  
41 be allocated to group homes for individuals with intellectual or developmental  
42 disabilities, or both, to support the implementation of recommended Centers  
43 for Disease Control and Prevention guidance for preventive measures to  
44 address the introduction and spread of COVID-19 among residents and staff  
45 of these facilities. As used in this subdivision, "group home" means any  
46 facility that (i) is licensed under Chapter 122C of the General Statutes, (ii)  
47 meets one of the definitions of a supervised living facility under 10A NCAC  
48 27G .5601(c)(1) through 10A NCAC 27G .5601(c)(3), and 10A NCAC 27G  
49 .5601(c)(6), and (iii) serves minors or adults whose primary diagnosis is  
50 mental illness or a developmental disability but may also have other  
51 diagnoses.

1           (68) \$7,000,000 to OSBM to be allocated as grants in equal amounts to the  
2 following hospitals: (i) Good Hope Hospital, Inc., (ii) Lake Norman Regional  
3 Medical Center, (iii) Cape Fear Valley Health Hoke Hospital, (iv) Catawba  
4 Valley Medical Center, (v) Davis Regional Medical Center, (vi) Carolinas  
5 Healthcare System Blue Ridge, and (vii) AdventHealth Hendersonville. These  
6 funds shall be used to offset expenses incurred for providing patient care in  
7 North Carolina to respond to the COVID-19 pandemic. Grant recipients shall  
8 not use these funds for any purpose other than to offset the following costs  
9 related to patient care provided in North Carolina as a result of the COVID-19  
10 pandemic:

- 11           a. Up to sixty percent (60%) of lost revenues from foregone elective  
12 procedures during the emergency period, net of federal funds received  
13 from the CARES Act.  
14           b. Supplies and equipment purchased in accordance with Centers for  
15 Disease Control and Prevention guidelines.  
16           c. Rapid ramp up of infection control and triage training for health care  
17 professionals.  
18           d. A retrofit of separate areas to screen and treat patients with suspected  
19 COVID-19 infections, including isolation areas in or around hospital  
20 emergency departments.  
21           e. An increase in the number of patient care beds to provide surge  
22 capacity.  
23           f. Transportation of patients with confirmed or suspected COVID-19  
24 safely to or from rural facilities.  
25           g. Development of plans, provision of training, and the implementation  
26 of expanded telehealth capabilities.  
27           h. The procurement of staff or consultants to help mitigate the burden of  
28 extensive review of new and incoming federal and State regulatory  
29 guidelines.  
30           i. Salary support for furloughed employees.

31 As a condition of receiving the funds allocated in this subdivision, each grant  
32 recipient shall submit a detailed written report to the House Appropriations  
33 Subcommittee on Health and Human Services, the Senate Appropriations  
34 Committee on Health and Human Services, and the Joint Legislative  
35 Oversight Committee on Health and Human Services by December 1, 2020,  
36 that contains a breakdown of all expenditures from the funds received under  
37 this subdivision and the total amount of funds received from the Provider  
38 Relief Fund provided for in P.L. 116-136 and any other COVID-19 recovery  
39 legislation or other legislation enacted by Congress during calendar year 2020  
40 to support the national response to COVID-19.

41           (69) \$2,500,000 to OSBM to allocate to any county designated as a development  
42 tier two area, as defined in G.S. 143B-437.08, with a population of less than  
43 150,000, that has a hospital located within its borders meeting all of the  
44 following criteria: (i) provided care to patients in North Carolina related to the  
45 COVID-19 pandemic, (ii) is not affiliated with a university health system, and  
46 (iii) filed a petition in U.S. Bankruptcy Court seeking relief under Chapter 11  
47 of the U.S. Bankruptcy Code within the five-month period preceding the  
48 effective date of this section. The county shall distribute these allocated funds  
49 to each eligible hospital for the purpose of offsetting expenses incurred for  
50 providing care to patients in North Carolina as a result of the COVID-19  
51 pandemic. Any county, county officer, county official, or county employee

1 who uses these allocated funds for any purpose other than the purpose  
2 specified in this subdivision shall be subject to a civil action by the State and  
3 held personally liable to reimburse the State. These funds shall be used to  
4 offset expenses incurred for providing patient care in North Carolina to  
5 respond to the COVID-19 pandemic. Grant recipients shall not use these funds  
6 for any purpose other than to offset the following costs related to patient care  
7 provided in North Carolina as a result of the COVID-19 pandemic:

- 8 a. Up to sixty percent (60%) of lost revenues from foregone elective  
9 procedures during the emergency period, net of federal funds received  
10 from the CARES Act.  
11 b. Supplies and equipment purchased in accordance with Centers for  
12 Disease Control and Prevention guidelines.  
13 c. Rapid ramp up of infection control and triage training for health care  
14 professionals.  
15 d. A retrofit of separate areas to screen and treat patients with suspected  
16 COVID-19 infections, including isolation areas in or around hospital  
17 emergency departments.  
18 e. An increase in the number of patient care beds to provide surge  
19 capacity.  
20 f. Transportation of patients with confirmed or suspected COVID-19  
21 safely to or from rural facilities.  
22 g. Development of plans, provision of training, and the implementation  
23 of expanded telehealth capabilities.  
24 h. The procurement of staff or consultants to help mitigate the burden of  
25 extensive review of new and incoming federal and State regulatory  
26 guidelines.  
27 i. Salary support for furloughed employees.

28 As a condition of receiving the funds allocated in this subdivision, each grant  
29 recipient shall submit a detailed written report to the House Appropriations  
30 Subcommittee on Health and Human Services, the Senate Appropriations  
31 Committee on Health and Human Services, and the Joint Legislative  
32 Oversight Committee on Health and Human Services by December 1, 2020,  
33 that contains a breakdown of all expenditures from the funds received under  
34 this subdivision and the total amount of funds received from the Provider  
35 Relief Fund provided for in P.L. 116-136 and any other COVID-19 recovery  
36 legislation or other legislation enacted by Congress during calendar year 2020  
37 to support the national response to COVID-19.

38 (70) \$4,300,000 to OSBM to be allocated to the Children's Advocacy Centers  
39 (CACNC) of North Carolina, Inc., a nonprofit corporation, to be distributed  
40 to child advocacy centers in this State that are in good standing with CACNC  
41 to cover the cost of increased child caseloads and the statewide provision of  
42 more effective and available virtual counseling due to the COVID-19  
43 pandemic.

44 (71) \$375,000 to OSBM to be allocated to the Crossnore School and Children's  
45 Home, a nonprofit child welfare organization, supporting children and  
46 families in crisis in this State, for COVID-19 related preventative measures to  
47 protect staff and children in a close congregate living facility."

48 **SECTION 1.1.(e)** S.L. 2020-4 is amended by adding the following new sections to

49 read:

50 **"APPROPRIATION FOR SMALL MEAT PROCESSORS ASSISTANCE**



1 "SECTION 4.2A.(a) Findings. – The General Assembly finds that the COVID-19  
2 emergency has resulted in serious and substantial impacts on the food supply chain. In particular,  
3 small livestock producers in the State have found that bottlenecks and lack of capacity among  
4 the small and independent meat processors who serve small livestock producers due to  
5 COVID-19 related slowdowns and capacity reductions have had a substantial negative impact on  
6 their ability to have their animals slaughtered and processed. The General Assembly further finds  
7 that financial assistance to these processors for physical expansion and facility improvements,  
8 for workforce development, and for the creation of additional processing capacity is necessary  
9 to reduce disruptions in the supply chain for fresh meat and to help small producers get their  
10 product to market.

11 "SECTION 4.2A.(b) Use. – The Department of Agriculture and Consumer Services shall  
12 determine whether the funds allocated in subdivision (47) of Section 3.3 of this act are sufficient  
13 to improve COVID-19 related slowdowns and mitigate capacity reductions. If the Department  
14 determines funding is not sufficient, the Department shall notify the State Controller, and the  
15 State Controller shall deposit the funds into the Coronavirus Relief Reserve. Amounts deposited  
16 into the Reserve under this subsection are receipts that do not constitute an "appropriation made  
17 by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution. If  
18 the Department determines funding is sufficient, the Department shall use the funds to provide  
19 grants as specified in subsection (c) of this section to reduce or prevent impacts on the supply  
20 chain for fresh meat in the State caused by COVID-19, or to improve the resiliency of the fresh  
21 meat supply chain to future pandemics.

22 "SECTION 4.2A.(c) Grant Types and Criteria. – The Department shall develop policies and  
23 procedures for the disbursement of the grants authorized by this section that include, at a  
24 minimum, the following:

25 (1) The Department may provide three categories of grants:

- 26 a. Capacity enhancement grant. – This grant is available to an eligible  
27 meat processing facility that is experiencing slowdowns in production  
28 or has limited capacity to accommodate increased demand for meat  
29 processing due to the COVID-19 pandemic. A capacity enhancement  
30 grant may be used for expansion of an existing eligible facility and for  
31 fixtures or equipment at an existing eligible facility that will expand  
32 animal throughput, processing capacity, the amount or type of  
33 products produced, or processing speed.
- 34 b. Workforce development grant. – This grant is available to an eligible  
35 meat processing facility that is experiencing slowdowns in production  
36 or has limited capacity to accommodate increased demand for meat  
37 processing due to workforce limitations or reductions due to the  
38 COVID-19 pandemic. A workforce development grant may be used  
39 for educational and workforce training provided either by the facility  
40 or by an institution of higher education.
- 41 c. Planning grant. – This grant is available to a nonprofit entity or  
42 institution of higher education to complete feasibility or siting studies  
43 for a new eligible meat processing facility.

44 (2) Eligible facility. – For purposes of this section, an eligible meat processing  
45 facility is a meat processing facility that either:

- 46 a. Meets both of the following requirements:  
47 1. The plant contracts with independent livestock producers to  
48 process animals owned by the producers.  
49 2. The United States Department of Agriculture (USDA)  
50 contracts with Department inspectors to conduct federal  
51 inspection activities authorized by the Talmadge-Aiken Act of

1 1962 (7 U.S.C. § 1633) at the plant, the plant is otherwise  
2 regulated by the USDA, or the plant is a State-inspected  
3 facility; or

4 b. Is a catfish aquaculture operation that raises and processes catfish.

5 (3) The Department may prioritize projects that will create additional jobs.

6 (4) Recipients shall provide matching funds for the grant in the amount of one  
7 dollar (\$1.00) from nongrant sources for every two dollars (\$2.00) provided  
8 by the grant.

9 **"SECTION 4.2A.(d) Grant-Supported Property Transferred or Removed from Service. –**  
10 As used in this section, the term "disposed of" means disposed of, taken out of service, or moved  
11 out of State. If fixtures or equipment purchased with grant funds provided by this act are disposed  
12 of during a period of time as the Department may specify following the date the fixtures or  
13 equipment funded by this act is placed in service, the grant recipient shall repay to the Department  
14 a proportionate share of the grant funding received as the Department may specify.

15 Funds received by the Department under this section shall be transferred to the Office  
16 of State Budget and Management (OSBM) and OSBM shall transfer the amount of the disallowed  
17 allocation to the Reserve established in Section 2.1 of this act. Amounts transferred into the  
18 Coronavirus Relief Reserve pursuant to this section are receipts that do not constitute an  
19 "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North  
20 Carolina Constitution.

## 21 22 **"JOB RETENTION GRANTS**

23 **"SECTION 4.2B.(a) Purpose, Use. –** The purpose of this section is to use funds from the  
24 Coronavirus Relief Fund to help businesses in North Carolina during the COVID-19 pandemic  
25 by providing economic support to businesses and nonprofits who experienced business  
26 interruption in connection with the COVID-19 pandemic and who did not participate in the  
27 federal Paycheck Protection Program, the federal Main Street Lending Program, or the North  
28 Carolina Rapid Recovery Loan Program. The Department of Commerce may use a percentage  
29 of the funds allocated in subdivision (51) of Section 3.3 of this act, not to exceed five percent  
30 (5%), as necessary for the administration of this program and shall use the remainder of the funds  
31 to provide grants awarded by the Economic Investment Committee for the program and purpose  
32 provided in this section.

33 **"SECTION 4.2B.(b) Job Retention Program. –** There is created the COVID-19 Job  
34 Retention Program to be administered by the Economic Investment Committee. The Committee  
35 may provide a one-time grant to a business or nonprofit that retained jobs during and after the  
36 COVID-19 pandemic and meets the conditions of this section.

37 **"SECTION 4.2B.(c) Eligibility. –** A business or nonprofit is eligible for a grant under this  
38 Program if it meets all of the following conditions:

39 (1) It employs at least ninety percent (90%) of the number of full-time employees,  
40 or full-time equivalent employees, during the COVID-19 period in North  
41 Carolina as it employed in North Carolina for the pay period ending on or  
42 about February 28, 2020.

43 (2) It demonstrates that it experienced an economic loss in connection with the  
44 COVID-19 pandemic as follows:

45 a. For a business, its sales for the COVID-19 period are at least ten  
46 percent (10%) below its sales for the same period in the preceding  
47 calendar year.

48 b. For a nonprofit, its gross receipts for the COVID-19 period are at least  
49 ten percent (10%) below its gross receipts for the same period in the  
50 preceding calendar year.

- 1 (3) It did not participate in the Paycheck Protection Program, the Main Street  
2 Lending Program, or the Rapid Recovery Loan Program.

3 **"SECTION 4.2B.(d)** Maximum Grant Amount. – The grant amount may be up to two  
4 months of the eligible entity's average monthly payroll costs from the last year plus an additional  
5 twenty-five percent (25%) of that amount. The grant amount may not exceed two hundred fifty  
6 thousand dollars (\$250,000).

7 **"SECTION 4.2B.(e)** Grant Program Limit. – The total of all funds granted under this  
8 Program may not exceed fifteen million dollars (\$15,000,000). The Economic Investment  
9 Committee must calculate the total amount of grants requested from the applications timely filed  
10 under subsection (f) of this section. If the total amount of grants requested exceeds the maximum  
11 amount of funds available under this subsection, the Committee must reduce each grant award  
12 on a proportionate basis. The Committee's grant determinations based on applications timely  
13 filed are final.

14 **"SECTION 4.2B.(f)** Application. – A business must apply to the Economic Investment  
15 Committee for a grant on a form prescribed by the Committee and must include any supporting  
16 documentation required by the Committee. The application must be filed with the Committee on  
17 or before September 1, 2020. The Committee may not accept late applications.

18 **"SECTION 4.2B.(g)** Definitions. – The following definitions apply in this section:

- 19 (1) Business. – An entity subject to income tax under Article 4 of Chapter 105 of  
20 the General Statutes.
- 21 (2) CARES Act. – The federal Coronavirus Aid, Relief, and Economic Security  
22 Act, P.L. 116-136.
- 23 (3) COVID-19 period. – The period beginning on March 1, 2020, and ending on  
24 May 31, 2020.
- 25 (4) Economic Investment Committee. – Defined in G.S. 143B-437.51.
- 26 (5) Full-time employee. – Defined in G.S. 143B-437.51.
- 27 (6) Main Street Lending Program. – Defined in section 4027 of the CARES Act.
- 28 (7) Nonprofit. – An entity exempt from income tax under G.S. 105-130.11(a)(3)  
29 or G.S. 105-130.11(a)(6).
- 30 (8) Paycheck Protection Program. – Defined in sections 1102 and 1106 of the  
31 CARES Act.
- 32 (9) Payroll costs. – Same meaning as defined for purposes of the Paycheck  
33 Protection Program, including the one hundred thousand dollar (\$100,000)  
34 annualized cap amount for each employee.
- 35 (10) Rapid Recovery Loan Program. – Loans provided under Section 4.2 of this  
36 act.
- 37 (11) Sales. – Defined in G.S. 105-130.4.
- 38

### 39 **"DOMESTIC VIOLENCE PREVENTION PILOT PROGRAM**

40 **"SECTION 4.2C.(a)** The General Assembly finds that the COVID-19 pandemic has  
41 exacerbated isolation, uncertainty, and economic instability, which has led to an increase in  
42 domestic violence, and due to the stay-at-home orders in effect, victims are more at-risk and  
43 vulnerable than ever before. It further finds that in order to combat the rising rate of domestic  
44 violence due to the COVID-19 pandemic, victims need access to technology that provides  
45 instantaneous notification if the offender is within close proximity.

46 **"SECTION 4.2C.(b)** The funds allocated in subdivision (54) of Section 3.3 of this act to the  
47 Administrative Office of the Courts shall be used to provide a grant to Caitlyn's Courage, Inc., to  
48 conduct domestic violence prevention pilot programs (pilot programs) in at least nine judicial  
49 districts, three of which shall have small district court caseloads, three of which shall have  
50 medium district court caseloads, and three of which shall have large district court caseloads.  
51 Caitlyn's Courage, Inc., shall consult and collaborate with the Administrative Office of the Courts

1 and with the Chief District Court Judges of each of the selected judicial districts when developing  
2 pilot program implementation plans for each judicial district.

3 **"SECTION 4.2C.(c)** The pilot programs created by this section shall do each of the  
4 following:

- 5 (1) Provide judges in the participating judicial districts the option to use global  
6 positioning system (GPS) electronic monitoring devices as a condition of  
7 pretrial release for defendants of crimes related to stalking, sexual assault,  
8 domestic abuse, and violations of a domestic violence protective order.
- 9 (2) Establish local implementation teams that shall, at a minimum, consider for  
10 inclusion (i) district court judges, (ii) superior court judges, (iii) assistant and  
11 elected district attorneys, (iv) assistant and appointed public defenders, (v)  
12 deputy, assistant, and elected clerks of superior court, (vi) law enforcement  
13 officers, (vii) domestic violence victims advocates, (viii) court support staff,  
14 and (ix) representatives of the Department of Adult Correction and Juvenile  
15 Justice.
- 16 (3) Operate a 24-hour monitoring center that contacts victims if an offender  
17 violates a relevant condition of pretrial release or a domestic violence  
18 protective order.
- 19 (4) Train all pilot program participants, including, but not limited to, victims and  
20 offenders, regarding the GPS tracking devices utilized by the pilot programs.

21 **"SECTION 4.2C.(d)** The electronic monitoring devices used by the pilot programs shall  
22 have each of the following specifications:

- 23 (1) The ability to automatically switch cellular networks, ensuring that the device  
24 is not dependent upon one particular cellular network provider.
- 25 (2) The ability to detect, record, and report the deliberate shielding from receipt  
26 of GPS signals.
- 27 (3) A disposable strap.
- 28 (4) A minimum single charge, 48-hour battery life via an inaccessible battery with  
29 the option of a fixed charger, mobile charger, or both.
- 30 (5) The ability to detect and store the time and date of any physical impact to the  
31 device at a level high enough to cause malfunction.
- 32 (6) The ability to record the offender's immediate location at all times.
- 33 (7) The ability to automatically notify the victim if an offender is within a  
34 restricted proximity to the victim pursuant to a court order.

35 **"SECTION 4.2C.(e)** The funds described in this section shall only be used by Caitlyn's  
36 Courage, Inc., for project expenses and shall not be used to pay for lobbying the North Carolina  
37 General Assembly, salaries, travel, or other administrative costs.

38 **"SECTION 4.2C.(f)** In consultation with participating judicial districts and the East  
39 Carolina University Department of Criminal Justice, Caitlyn's Courage, Inc., shall report on the  
40 effectiveness of the pilot programs created by this section to the Joint Legislative Oversight  
41 Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health  
42 and Human Services, and the Fiscal Research Division of the North Carolina General Assembly  
43 by April 1, 2021.

44 **"SECTION 4.2C.(g)** The report required by this section shall include, at a minimum, each  
45 of the following:

- 46 (1) Any recommendations regarding the continuation, expansion, or elimination  
47 of the pilot programs.
  - 48 (2) Current and future estimated costs associated with implementing the pilot  
49 programs.
  - 50 (3) Any recommended legislation related to the pilot programs.
- 51

**"PLASMA GAMES PILOT PROGRAM**

**"SECTION 4.2D.(a)** Program Established. – The Department of Commerce, Office of Science, Technology, and Innovation (Office), shall administer a statewide pilot program (pilot) to promote access to innovative digital and personalized learning solutions for high school students that bridge the gap between chemistry and physical science classes and career and technical education (CTE) career pathways. The local school administrative units shall incorporate the science, technology, engineering, and mathematics (STEM) focused educational software program developed by Plasma Games, Inc., in select STEM classes and their CTE programs to encourage student interest and workforce development for chemistry-dependent industries located in North Carolina, including careers in the pharmaceutical, agricultural technology, biotechnology, textile, material science, energy, minerals and mining, and chemical manufacturing fields. The pilot shall be conducted for the 2020-2021 school year.

**"SECTION 4.2D.(b)** Plans for Pilot Implementation. – A local school administrative unit participating in the pilot shall provide the Office with a plan for the placement of the STEM-focused educational technology developed by Plasma Games, Inc., in its schools. The plan shall include implementation of the educational game as a teaching tool for classroom teachers and a new learning platform for students to increase student engagement and discussion, enrich lessons with real-world applications and purpose in STEM fields, and create moments of connection for students with lasting impact on their career pathways. The plan shall also include provisions for professional development and training for teachers, administrators, and other school personnel to facilitate the implementation and success of the pilot.

**"SECTION 4.2D.(c)** Funds for the Pilot. – The Office shall use the funds allocated in subdivision (62) of Section 3.3 of this act to provide funds to local school administrative units participating in the pilot. These funds shall be used for licensing fees for the educational software, Plasma Games' operating costs, and for implementation of the pilot by the local school administrative units.

**"SECTION 4.2D.(d)** Reporting Requirements. – The local school administrative units participating in the pilot shall provide a report by May 1, 2021, to the Office on implementation of the pilot for that school year, including (i) the use of the funds described in subsection (c) of this section, (ii) the number of students impacted by the pilot and the number of students pursuing STEM-related CTE career pathways as a result of the pilot, measured by the number of students declaring interest in a career with a chemistry-dependent industry located in North Carolina and the number of students pursuing higher education in a chemistry-related major or technical certification at a school in North Carolina, (iii) demand and feedback by teachers on the use of the STEM-focused educational technology, and (iv) any other information requested by the Office.

The Office shall provide a report by June 1, 2021, to the Joint Legislative Education Oversight Committee, Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the implementation of the pilot and the information reported by participating local school administrative units pursuant to this section. The report shall include any data on student outcomes related to implementation of the pilot, the expenditure of funds described in subsection (c) of this section, and recommendations by the Office on modification of the pilot and the need for continued support."

**SECTION 1.1.(f)** Section 4.23(e) of S.L. 2020-3 reads as rewritten:

**"SECTION 4.23.(e)** This section is effective when it becomes law and expires August ~~4~~, 31, 2020."

**SECTION 1.2.** The portion of Section 1.1(d) of this act amending Section 3.3(4) of S.L. 2020-4 becomes effective June 15, 2020.

**PART II. TECHNICAL AND OTHER CHANGES**

**TECHNICAL CHANGES**

**SECTION 2.1.(a)** Section 1.7 of S.L. 2020-4 reads as rewritten:

**"SECTION 1.7.** In addition to any report required under this act or any other law, OSBM shall provide a report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division by ~~March~~ April 1, 2021, detailing the use of funds allocated under Section 3.3 of this act. Additionally, each State agency or department that receives federal grant funds under Section 4.1 of this act shall provide a report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division no later than 90 days from the day the grant period ends detailing the use of funds. The report required from OSBM under this section shall include the amount of funds allocated to each State agency, State department, and nonprofit organization; how the funds were used by each State agency, State department, and nonprofit organization; and the amount of funds allocated to each State agency, State department, and nonprofit organization that remained unspent as of December 30, 2020. The report required from each State agency or department that receives federal grant funds under Section 4.1 of this act shall include the amount of funds granted, the source of the funds, how the funds were used, and the amount of funds that remained unspent at the end of the grant period."

**SECTION 2.1.(b)** Section 1.8 of S.L. 2020-4 reads as rewritten:

**"SECTION 1.8.** The State Auditor shall conduct a preliminary financial audit and a final performance audit of the Coronavirus Relief Fund created by this act no later than ~~March~~ April 1, 2021."

**TRANSPORTATION ALLOTMENT FUNDS**

**SECTION 2.2.(a)** For the 2020-2021 fiscal year, the Department of Public Instruction may withhold up to twelve million dollars (\$12,000,000) from the transportation allotment and instead allocate those funds, as necessary, for transportation expenses related to emergency school nutrition services provided between July 1, 2020, and the beginning of the 2020-2021 school year by public school units participating in the National School Lunch Program, School Breakfast Program, or Summer Food Service Program.

**SECTION 2.2.(b)** This section becomes effective July 1, 2020.

**STUDENT MEAL DEBT REPORT AND REDUCED-PRICE LUNCH CO-PAYS**

**SECTION 2.3.(a)** No later than October 15, 2021, the State Board of Education shall report to the Joint Legislative Education Oversight Committee on unpaid meal charges in local school administrative units. At a minimum, the report shall include the following information:

- (1) The percentage of students of all grade levels in each local school administrative unit who (i) qualify for and participate in reduced-price meals and (ii) do not carry an unpaid meal charge.
- (2) The total amount of debt carried by each local school administrative unit related to unpaid meal charges.
- (3) Summaries of approaches adopted by each local school administrative unit regarding unpaid meal charges.
- (4) Options for a statewide policy on the uniform administration of unpaid meal charges in local school administrative units. Every option shall ensure that students are not prevented from receiving nutritious meals because of an unpaid meal charge.

**SECTION 2.3.(b)** For the 2020-2021 fiscal year, the Department of Public Instruction shall transfer the sum of three million nine hundred thousand dollars (\$3,900,000) in nonrecurring funds from the cash balance in the School Bus Replacement Fund (Budget Code: 73510; Fund Code: 7200) to the State Public School Fund (Budget Code: 13510; Fund Code: 1830). Funds transferred pursuant to this section are hereby appropriated to provide school lunches at no cost to students of all grade levels qualifying for reduced-price meals in all schools

1 participating in the National School Lunch Program in the 2020-2021 school year. If these funds  
2 are insufficient to provide school lunches at no cost to students qualifying for reduced-price  
3 meals, the Department of Public Instruction shall also use any excess funds appropriated for the  
4 National School Breakfast Program for the purposes of this subsection.

5 **SECTION 2.3.(c)** This section becomes effective July 1, 2020.  
6

#### 7 **FUNDS FOR BUSINESS SYSTEM MODERNIZATION PLAN**

8 **SECTION 2.4.(a)** The Office of State Budget and Management shall reduce the  
9 appropriations from the Civil Penalty and Forfeiture Fund to the School Technology Fund by the  
10 sum of eighteen million dollars (\$18,000,000) in nonrecurring funds for the 2020-2021 fiscal  
11 year. There is appropriated from the Civil Penalty and Forfeiture Fund to the State Public School  
12 Fund the sum of eighteen million dollars (\$18,000,000) in nonrecurring funds for the 2020-2021  
13 fiscal year. The Office of State Budget and Management shall reduce the appropriations to the  
14 State Public School Fund from the General Fund by the sum of eighteen million dollars  
15 (\$18,000,000) in nonrecurring funds for the 2020-2021 fiscal year.

16 **SECTION 2.4.(b)** From the funds made available pursuant to subsection (a) of this  
17 section for the 2020-2021 fiscal year, there is appropriated from the General Fund to the  
18 Department of Public Instruction the sum of eighteen million dollars (\$18,000,000) in  
19 nonrecurring funds for the 2020-2021 fiscal year to provide for the implementation of the School  
20 Business System Modernization Plan as set out in S.L. 2017-57, to include an Enterprise  
21 Resource Planning (ERP) system for integrated payroll and human resources information, an  
22 integrated State-level licensure system, and reporting of financial information for increased  
23 transparency and analytics.

24 **SECTION 2.4.(c)** Of the funds appropriated to the Department of Public Instruction  
25 by this section for the School Business System Modernization Plan for the 2020-2021 fiscal year,  
26 the Department shall transfer six hundred fifty thousand dollars (\$650,000) in nonrecurring funds  
27 for the 2020-2021 fiscal year to the Government Data Analytics Center (GDAC) to leverage  
28 existing public-private partnerships for ongoing support of the annual school report card data  
29 system and the School Finance reporting system. Of the six hundred fifty thousand dollars  
30 (\$650,000) in nonrecurring funds transferred to GDAC for the 2020-2021 fiscal year, four  
31 hundred thousand dollars (\$400,000) in nonrecurring funds shall be used for the annual school  
32 report card data system and two hundred fifty thousand dollars (\$250,000) in nonrecurring funds  
33 shall be for the School Finance reporting system.

34 **SECTION 2.4.(d)** No later than October 1, 2020, GDAC shall execute any  
35 contractual agreements and interagency data sharing agreements necessary to accomplish the  
36 reporting system established pursuant to Section 7.16 of S.L. 2017-57, as amended by Section  
37 7.6 of S.L. 2018-5. The Department of Public Instruction and GDAC shall continue partnering  
38 to accomplish the continued development, deployment, and ongoing provision of a data  
39 integration service that consolidates data from financial, human resources, licensure, student  
40 information, and EVAAS.

41 **SECTION 2.4.(e)** This section becomes effective July 1, 2020.  
42

#### 43 **WAIVE MATCH REQUIREMENT/COMPETITIVE GRANTS PROCESS FOR** 44 **NONPROFITS**

45 **SECTION 2.5.** Notwithstanding Section 11A.14(b)(2) of S.L. 2017-57, in effect  
46 pursuant to Section 3.6(b)(1) of S.L. 2019-242, for the 2020-2021 fiscal year, the Department of  
47 Health and Human Services, Division of Central Management and Support, shall waive the  
48 fifteen percent (15%) match requirement for the competitive grants process for nonprofit  
49 organizations.  
50

1 **STREAMLINING CLAIMS FOR PROPERTY DURING THE COVID-19 ECONOMIC**  
2 **DOWNTURN**

3 **SECTION 2.6.(a)** G.S. 116B-67 reads as rewritten:

4 **"§ 116B-67. Claim for property paid or delivered to the Treasurer.**

5 (a) A person, excluding another state, claiming property paid or delivered to the  
6 Treasurer may file a claim on a form prescribed by the Treasurer and verified by the  
7 ~~claimant~~ claimant if the amount claimed exceeds two hundred fifty dollars (\$250.00). For all  
8 other claims, the Unclaimed Property Division may pay the rightful owner upon verification of  
9 ownership by the Treasurer.

10 ...

11 (e) The claimant or claimants and the holder, if the holder either certifies that the claimant  
12 is the owner under subsection (b) of this section or recovers money and property from the  
13 Treasurer under G.S. 116B-63, shall agree to indemnify, save harmless, and defend the State, the  
14 Treasurer, and the Escheat Fund from any claim arising out of or in connection with refund of  
15 the property claimed. In like manner, the claimant shall also agree to indemnify, save harmless,  
16 and defend the holder, if the holder certifies the claim under subsection (b) of this section or pays  
17 or delivers property to the claimant under G.S. 116B-63. In the event that a person is not required  
18 to submit a claim on a form prescribed by the Treasurer and the claim is paid from the Escheat  
19 Fund, then it shall be presumed that the claimant has agreed to indemnify, save harmless, and  
20 defend the State, the Treasurer, and the Escheat Fund from any claim arising out of or in  
21 connection with refund of the property claimed."

22 **SECTION 2.6.(b)** Effective March 15, 2021, G.S. 116B-67, as rewritten by  
23 subsection (a) of this section, reads as rewritten:

24 **"§ 116B-67. Claim for property paid or delivered to the Treasurer.**

25 (a) A person, excluding another state, claiming property paid or delivered to the  
26 Treasurer may file a claim on a form prescribed by the Treasurer and verified by the ~~claimant~~ if  
27 ~~the amount claimed exceeds two hundred fifty dollars (\$250.00). For all other claims, the~~  
28 ~~Unclaimed Property Division may pay the rightful owner upon verification of ownership by the~~  
29 ~~Treasurer~~ claimant.

30 ...

31 (e) The claimant or claimants and the holder, if the holder either certifies that the claimant  
32 is the owner under subsection (b) of this section or recovers money and property from the  
33 Treasurer under G.S. 116B-63, shall agree to indemnify, save harmless, and defend the State, the  
34 Treasurer, and the Escheat Fund from any claim arising out of or in connection with refund of  
35 the property claimed. In like manner, the claimant shall also agree to indemnify, save harmless,  
36 and defend the holder, if the holder certifies the claim under subsection (b) of this section or pays  
37 or delivers property to the claimant under G.S. 116B-63. ~~In the event that a person is not required~~  
38 ~~to submit a claim on a form prescribed by the Treasurer and the claim is paid from the Escheat~~  
39 ~~Fund, then it shall be presumed that the claimant has agreed to indemnify, save harmless, and~~  
40 ~~defend the State, the Treasurer, and the Escheat Fund from any claim arising out of or in~~  
41 ~~connection with refund of the property claimed."~~

42  
43 **SWEETPOTATO ADVISORY COUNCIL CHANGES**

44 **SECTION 2.7.(a).** G.S. 106-1066(4), as enacted by Section 6 of S.L. 2020-18, reads  
45 as rewritten:

46 "(4) "North Carolina Sweetpotato Quality and Branding Advisory Council" means  
47 the advisory council established pursuant to G.S. 106-1070."

48 **SECTION 2.7.(b)** G.S. 106-1069, as enacted by Section 6 of S.L. 2020-18, reads as  
49 rewritten:

50 **"§ 106-1069. Standards for grades.**



1 The most recent standards for grades adopted by the United States Department of Agriculture,  
2 Agricultural Marketing Service, United States Standards for Grades of Sweet Potatoes are  
3 adopted by reference and shall be the standards for grades in this State, except that the  
4 Commissioner may establish tolerances or allowable percentages of United States standards each  
5 season upon the recommendation of the North Carolina Sweetpotato Quality and Branding  
6 Advisory Council."

7 **SECTION 2.7.(c)** G.S. 106-1070, as enacted by Section 6 of S.L. 2020-18, reads as  
8 rewritten:

9 "**§ 106-1070. North Carolina Sweetpotato Quality and Branding Advisory Council.**

10 ~~The Commissioner shall appoint a North Carolina Sweetpotato Advisory Council.~~ There is  
11 established within the Department of Agriculture and Consumer Services the North Carolina  
12 Sweetpotato Quality and Branding Advisory Council. The Commissioner of Agriculture shall  
13 serve as chair, and the members of the Advisory Council shall be appointed by the North Carolina  
14 SweetPotato Commission, to consist of individuals involved in growing, packing, or growing  
15 and packing North Carolina sweetpotatoes; at least one sweetpotato processor; at least one  
16 sweetpotato retailer; at least one county cooperative extension agent familiar with the production  
17 of North Carolina sweetpotatoes; the Executive Director of the North Carolina SweetPotato  
18 Commission, and any other person or persons selected by the Commissioner, North Carolina  
19 SweetPotato Commission, for the purpose of rendering advice upon his or her the Commissioner's  
20 request regarding the exercise of the Commissioner's authority pursuant to G.S. 106-1068.  
21 Members shall also provide advice and recommendations to the Commissioner on plant pest  
22 regulatory issues affecting sweetpotatoes, over which the Commissioner has regulatory  
23 jurisdiction. The North Carolina Sweetpotato Quality and Branding Advisory Council shall meet  
24 at least quarterly or as needed upon the request of the Commissioner. Members of the North  
25 Carolina Sweetpotato Quality and Branding Advisory Council shall receive no compensation for  
26 their service."

27  
28 **MODIFY EXPIRATION DATE OF DISBURSEMENT OF FUNDS PRIOR TO**  
29 **RECORDATION OF DEED IN CERTAIN CIRCUMSTANCES PROVISION**

30 **SECTION 2.8.** Section 4.12(b) of S.L. 2020-3 reads as rewritten:

31 "**SECTION 4.12.(b)** This section is effective when it becomes law and expires ~~August 1,~~  
32 ~~2020.~~March 1, 2021."

33  
34 **EXTEND SUNSET ON REMOTE NOTARY AND VIDEO WITNESSING**  
35 **AUTHORIZATION**

36 **SECTION 2.9.(a)** G.S. 10B-10(b1), as enacted by S.L. 2020-3, reads as rewritten:

37 "(b1) Notwithstanding subsection (b) of this section, if the Secretary grants a commission  
38 after March 9, 2020, and before March 1, 2021, the appointee shall have 90 days to appear before  
39 the register of deeds to take the general oath of office. A register of deeds may administer the  
40 required oath to such appointee using video conference technology provided the appointee is  
41 personally known to the register of deeds or the appointee provides satisfactory evidence of the  
42 appointee's identity to the register of deeds. As used in this subsection, video conference  
43 technology and satisfactory evidence are as defined in G.S. 10B-25."

44 **SECTION 2.9.(b)** G.S. 10B-25(n), as enacted by S.L. 2020-3, reads as rewritten:

45 "(n) This section shall expire at 12:01 A.M. on March 1, 2021; provided, however, all  
46 notarial acts made in accordance with this section and while this section is in effect shall remain  
47 effective and shall not need to be reaffirmed."

48 **SECTION 2.9.(c)** G.S. 10B-200(b), as enacted by S.L. 2020-3, reads as rewritten:

49 "(b) This Article expires March 1, 2021."

50  
51 **PART III. MISCELLANEOUS**

**EFFECT OF PRIOR LEGISLATION**

**SECTION 3.1.** The provisions of any legislation enacted during any session of the 2019 General Assembly expressly appropriating funds from the Coronavirus Relief Fund established in S.L. 2020-4 to an agency, a department, or an institution covered under this act shall remain in effect, except where expressly repealed or amended by this act or any of the following acts of the 2019 General Assembly:

- (1) S.L. 2020-4.
- (2) S.L. 2020-14.
- (3) Senate Bill 805 of the 2019 Regular Session.
- (4) Senate Bill 808 of the 2019 Regular Session.
- (5) Senate Bill 816 of the 2019 Regular Session.
- (6) Senate Bill 836 of the 2019 Regular Session.
- (7) House Bill 1071 of the 2019 Regular Session.
- (8) House Bill 1087 of the 2019 Regular Session.
- (9) House Bill 1229 of the 2019 Regular Session.

**UNEXPENDED CORONAVIRUS RELIEF FUNDS**

**SECTION 3.2.** If federal law or guidance is amended to allow the use of funds from the Coronavirus Relief Fund for revenue replacement, the Office of State Budget and Management shall deposit any remaining funds in the Coronavirus Relief Reserve in the General Fund as nontax revenue in fiscal year 2020-2021. The funds shall remain unappropriated unless the General Assembly appropriates the funds in a subsequent act of the General Assembly.

**USE OF CORONAVIRUS RELIEF FUNDS TO CREATE OFFSETS**

**SECTION 3.3.** If Senate Bill 805, 2019 Regular Session, or substantially similar legislation becomes law, and federal law or guidance is amended to allow the use of funds from the Coronavirus Relief Fund for revenue replacement, then the Office of State Budget and Management may use the six hundred forty-five million dollars (\$645,000,000) appropriated from the Coronavirus Relief Fund in that act for revenue replacement and the requirement in that act to establish the Statewide Reserve for Appropriations and reduce its negative appropriation balance is repealed.

**EFFECT OF HEADINGS**

**SECTION 3.4.** The headings to the parts, subparts, and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act, except for effective dates referring to a part or subpart.

**SEVERABILITY**

**SECTION 3.5.** If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end the provisions of this act are severable.

**EFFECTIVE DATE**

**SECTION 3.6.** Except as otherwise provided, this act is effective when it becomes law.