

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 665
Corrected Copy 5/14/19

Short Title: Omnibus Rural Investment Act. (Public)

Sponsors: Senators Smith, Clark, and D. Davis (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 4, 2019

A BILL TO BE ENTITLED

AN ACT TO INVEST IN RURAL NORTH CAROLINA AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

MOBILE DMV FOR COUNTIES WITHOUT DMV OFFICES

SECTION 1. There is appropriated from the Highway Fund to the Department of Transportation, Division of Motor Vehicles (DMV) the sum of two hundred thousand dollars (\$200,000) in recurring funds for each fiscal year of the 2019-2021 fiscal biennium for the purpose of providing mobile DMV services in tier one counties that do not have a fixed DMV site.

RURAL BROADBAND

SECTION 2.(a) The Department of Information Technology (DIT), through its Office of Digital Infrastructure, and with the assistance of the Department of Transportation, the Department of Administration, the Department of Commerce, North Carolina State University, and the University of North Carolina at Charlotte, shall develop a State broadband plan to ensure that all citizens of North Carolina have access to broadband capability. The plan shall include the following components:

- (1) An analysis of the most effective and efficient mechanisms for ensuring broadband access by all citizens of the State.
- (2) A detailed strategy for achieving affordability of such service and maximum utilization of broadband infrastructure and service by the citizens of the State.
- (3) An evaluation of the status of deployment of broadband service, including a survey of projects and programs undertaken across the State by commercial broadband providers, local governments, and nongovernmental organizations.
- (4) A plan for use of broadband infrastructure and services in advancing consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, worker training, private sector investment, entrepreneurial activity, job creation, and economic growth.

SECTION 2.(b) DIT shall report no later than May 1, 2020, to the Joint Legislative Committee on Information Technology on the State broadband plan required under subsection (a) of this section and include recommendations for necessary legislative action and cost estimates for achieving the objectives set forth in the plan.



1 **SECTION 2.(c)** Funding for the implementation of subsection (a) of this section
2 shall be provided by the Department of Information Technology, using funds available from the
3 Information Technology Fund.
4

5 **PARKS FUNDING CONDITIONS AND MATCH**

6 **SECTION 3.** G.S. 143B-135.56(b) reads as rewritten:

7 "(b) Use. – Funds in the Trust Fund are annually appropriated to the North Carolina Parks
8 and Recreation Authority and, unless otherwise specified by the General Assembly or the terms
9 or conditions of a gift or grant, shall be allocated and used as follows:

10 (1) Sixty-five percent (65%) for the State Parks System or a State recreational
11 forest for capital projects, repairs and renovations of park facilities, and land
12 acquisition.

13 (2) Thirty percent (30%) to provide matching funds to local governmental units
14 or public authorities as defined in ~~G.S. 159-7 on a dollar-for-dollar basis for~~
15 ~~local park and recreation purposes. The appraised value of land that is donated~~
16 ~~to a local government unit or public authority may be applied to the matching~~
17 ~~requirement of this subdivision. G.S. 159-7.~~ These funds shall be allocated by
18 the North Carolina Parks and Recreation Authority based on criteria patterned
19 after the Open Project Selection Process established for the Land and Water
20 Conservation Fund administered by the National Park Service of the United
21 States Department of the Interior. The following matching requirements apply
22 to projects funded under this subdivision, based on the most recent
23 development tier designation, as defined in G.S. 143B-437.08, of the county
24 containing the local governmental unit or public authority:

25 a. With respect to local park and recreation purposes other than projects
26 described by sub-subdivisions b. and c. of this subdivision, the local
27 governmental unit match shall be fifty percent (50%). The appraised
28 value of land that is donated to a local government unit or public
29 authority may be applied to the match required by this sub-subdivision.

30 b. With respect to land acquisition, including the acquisition of
31 unbuildable lots for public recreational purposes, the local
32 governmental unit match shall be twenty-five percent (25%) in tier two
33 counties and ten percent (10%) in tier one counties. At least fifty
34 percent (50%) of the local match must be in cash, and up to fifty
35 percent (50%) may be the value of in-kind donations by the local
36 governmental unit.

37 c. With respect to park or recreation site improvements, the local
38 governmental unit match shall be twenty-five percent (25%) in tier two
39 counties and ten percent (10%) in tier one counties. At least fifty
40 percent (50%) of the local match must be in cash, and up to fifty
41 percent (50%) may be the value of in-kind donations by the local
42 governmental unit.

43 (3) Five percent (5%) for the Coastal and Estuarine Water Beach Access
44 Program."
45

46 **AFFORDABLE HOUSING**

47 **SECTION 4.(a)** Section 2 of Chapter 559 of the 1965 Session Laws, as amended by
48 Chapter 456 of the 1969 Session Laws, is amended by adding a new section to read:

49 "Sec. 2.1. Notwithstanding G.S. 66-58 and the provisions of Chapter 153A and Chapter 160A
50 of the General Statutes, the Windsor Township Development Commission shall have additional
51 authority as follows:

- 1 (1) To acquire and hold title to real and personal property for public purposes,
2 including for the purpose of constructing and maintaining affordable rental
3 housing units for Bertie County Schools teachers and employees, Bertie
4 County employees, Town of Windsor employees, and State employees
5 residing in Bertie County.
- 6 (2) To borrow money and incur debt under terms the Windsor County
7 Development Commission deems reasonable, whether secured or unsecured,
8 for public purposes, including for the purpose of constructing and maintaining
9 affordable rental housing units for Bertie County Schools' teachers and
10 employees, Bertie County employees, Town of Windsor employees, and State
11 employees residing in Bertie County.
- 12 (3) To enter into leases, management agreements, or similar arrangements with
13 Bertie County for the County to manage, lease, and maintain rental housing
14 units constructed pursuant to this section.
- 15 (4) To accept grants or donations of money contributed for public purposes."

16 **SECTION 4.(b)** Notwithstanding the provisions of Chapter 153A and Chapter 160A
17 of the General Statutes and subject to the restrictions set out in this act, Bertie County may enter
18 into leases, management agreements, or similar arrangements with Windsor Township
19 Development Commission for the County to manage, lease, and maintain rental housing units
20 constructed pursuant to Section 1 of this act. Bertie County shall restrict the rental of such units
21 to Bertie County Public Schools' teachers and employees, unless units cannot be filled by Bertie
22 County Public Schools' teachers and employees, in which case, units shall be rented to Bertie
23 County employees, Town of Windsor employees, or State employees residing in Bertie County.

24 **SECTION 4.(c)** Subsections (a) and (b) of this section shall not exempt any
25 affordable rental housing units constructed or leased pursuant to this act from compliance with
26 applicable building codes, zoning ordinances, or other health and safety statutes, rules, or
27 regulations.

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29 **REVISE TAX CREDIT SCORING FOR NORTH CAROLINA HOUSING FINANCE**

30 **AGENCY**

31 **SECTION 4.1.(a)** The North Carolina Housing Finance Agency shall review and
32 revise the 2018 Qualified Allocation Plan (the Plan) for the allocation of low-income housing tax
33 credits with regard to the Plan's selection criteria and threshold requirements for site and market
34 evaluation to eliminate barriers to providing low-income housing in rural communities. In
35 particular, the Agency shall modify the scoring for proximity to a grocery or retail store for a
36 small town to take into account the lack of grocery and retail stores in some rural North Carolina
37 counties and the significant distances citizens must travel (20 to 30 miles) in other rural counties.

38 **SECTION 4.1.(b)** The Agency shall adopt the revised Plan no later than July 1,
39 2019, for implementation during the next loan cycle.

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41 **SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE**

42 **SECTION 5.(a)** The sum of three hundred forty thousand dollars (\$340,000) in
43 nonrecurring funds for the 2019-2020 fiscal year are appropriated from the General Fund to
44 Working Landscapes, a nonprofit organization based in Warren County, for a pilot program to
45 reimburse participating school districts based on the servings of food they source from farms
46 within the same region. The pilot project will take place in the educational district for the North
47 Central region as provided in G.S. 143B-28.1 (Chatham, Durham, Edgecombe, Franklin,
48 Granville, Harnett, Johnston, Lee, Nash, Orange, Person, Vance, Wake, Warren, and Wilson
49 Counties).

50 **SECTION 5.(b)** Of the funds appropriated by this act, sixty thousand dollars
51 (\$60,000) in the 2019-2020 fiscal year shall be used for payments to participating school systems

1 to offset the higher cost of locally grown products. The remaining funds in each fiscal year shall
2 be cost-shared on a one-to-one basis with funds provided by Working Landscapes and shall be
3 used to establish program infrastructure and assist local farms in obtaining certifications
4 necessary to supply school nutrition programs.

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6 **PUBLIC PRIVATE INNOVATION ZONE**

7 **SECTION 6.** There is appropriated from the General Fund to the Golden L.E.A.F.
8 (Long-Term Economic Advancement Foundation), Inc., a nonprofit corporation, the sum of one
9 million five hundred thousand dollars (\$1,500,000) for the 2019-2020 fiscal year to be used as
10 grants to fund public private partnership projects that provide (i) water and sewer infrastructure
11 or (ii) broadband to underserved rural counties in North Carolina.

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13 **EFFECTIVE DATE**

14 **SECTION 7.** This act becomes effective July 1, 2019.