

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 826*

Short Title: Housing & Utilities Assistance/COVID-19. (Public)

Sponsors: Senators Mohammed, Robinson, and deViere (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 21, 2020

A BILL TO BE ENTITLED

1
2 AN ACT TO APPROPRIATE FUNDS FROM THE CORONAVIRUS RELIEF FUND UNDER
3 THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT TO
4 PROVIDE ASSISTANCE TO INDIVIDUALS AT RISK OF LOSING CERTAIN TYPES
5 OF HOUSING AND PROVIDE ASSISTANCE WITH HOUSING UTILITIES DUE TO
6 THE COVID-19 PANDEMIC.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** The State Controller shall transfer the sum of one hundred million
9 dollars (\$100,000,000) for the 2019-2020 fiscal year from the Coronavirus Relief Reserve
10 established under Section 2.1 of S.L. 2020-4 to the Coronavirus Relief Fund under the
11 Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, P.L. 116-136,
12 established in Section 2.2 of that act.

13 **SECTION 1.(b)** There is appropriated from the Coronavirus Relief Fund to the
14 Department of Health and Human Services (Department) the sum of one hundred million dollars
15 (\$100,000,000) in nonrecurring funds for the 2019-2020 fiscal year to provide assistance with
16 housing rental payments for those that are homeless or precariously housed, at risk of losing
17 housing, or in need of assistance with housing utilities due to the COVID-19 pandemic. These
18 funds shall be used to provide housing or utilities assistance, housing navigation, and case
19 management services on behalf of an individual or family as follows:

- 20 (1) Housing Assistance. – For an individual or family who is at or below eighty
21 percent (80%) of Area Median Income (AMI), up to one thousand dollars
22 (\$1,000) monthly per eligible recipient for up to six months. For purposes of
23 this act, housing assistance includes, but is not limited to, assistance with (i)
24 hotel housing expenses, (ii) rental security deposits, (iii) move-in costs, and
25 (iv) application or management fees, as required.
- 26 (2) Utilities Assistance. – Assistance shall be provided as follows:
- 27 a. For an individual or family who is at or below fifty percent (50%)
28 AMI, up to one thousand dollars (\$1,000) maximum per eligible
29 recipient over a six-month period.
- 30 b. For an individual or family who is at or between fifty-one percent
31 (51%) AMI and eighty percent (80%) AMI, up to five hundred dollars
32 (\$500.00) maximum per eligible recipient over a six-month period.

33 The Department shall apportion funds allocated for utilities assistance under
34 this subdivision such that at least three-fourths of those funds are used for
35 individuals or families meeting eligibility requirements under sub-subdivision
36 a. of this subdivision and up to one-fourth of those funds are used for



1 individuals or families meeting eligibility requirements under sub-subdivision
2 b. of this subdivision. These funds may be used for utility deposits, utility
3 arrears, or ongoing utility bills.

4 **SECTION 1.(c)** In implementing this section, the Department of Health and Human
5 Services (Department) shall establish a COVID-19 Emergency Housing Rental and Utilities
6 Assistance program. The Department shall provide funds, as feasible, to local providers of these
7 services or assistance, with the following exceptions:

8 (1) The income limit is eighty percent (80%) of Area Median Income (AMI) for
9 housing assistance and at or between fifty percent (51%) AMI and eighty
10 percent (80%) AMI for utilities assistance, as applicable. However, CARES
11 Act IRS stimulus payments and unemployment insurance benefits shall not be
12 considered income for purposes of this act.

13 (2) Individuals and families are eligible for the program with no requirement that
14 a child reside in the home.

15 (3) There is no resource limit requirement.

16 **SECTION 1.(d)** The Department of Health and Human Services may use up to five
17 percent (5%) of the funds appropriated under subsection (b) of this section to administer the
18 COVID-19 Emergency Housing Rental and Utilities Assistance program established under this
19 act.

20 **SECTION 1.(e)** Any unspent funds remaining on June 30, 2020, shall be carried
21 forward into the 2020-2021 fiscal year and are hereby appropriated for the 2020-2021 fiscal year.
22 The funds shall be used for the purposes described in this section and the requirements and
23 limitations set forth in the CARES Act.

24 **SECTION 2.** In implementing the COVID-19 Emergency Housing Rental and
25 Utilities Assistance program in accordance with this act, the Department of Health and Human
26 Services is exempt from the requirements of Article 2A of Chapter 150B of the General Statutes.

27 **SECTION 3.** The Department of Health and Human Services shall provide a report
28 to the House Appropriations Committee on Health and Human Services, the Senate
29 Appropriations Committee on Health and Human Services, and the Fiscal Research Division by
30 March 1, 2021, detailing the use of funds allocated under this act.

31 **SECTION 4.** This act is effective when it becomes law and applies retroactively to
32 housing or utilities expenses incurred on or after March 1, 2020, and expires December 30, 2020.