

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**HOUSE BILL 196\*  
Committee Substitute Favorable 3/2/21**

Short Title: 2021 COVID-19 Response & Relief.

(Public)

Sponsors:

Referred to:

March 2, 2021

A BILL TO BE ENTITLED  
AN ACT TO MAKE MODIFICATIONS TO COVID-19 RELIEF LEGISLATION AND  
PROVIDE ADDITIONAL APPROPRIATIONS FOR THE EXPENDITURE OF FEDERAL  
COVID-19 PANDEMIC RELIEF FUNDS.

The General Assembly of North Carolina enacts:

**PART I. APPROPRIATION OF FEDERAL CORONAVIRUS RESPONSE AND RELIEF  
SUPPLEMENTAL APPROPRIATIONS ACT FUNDS**

**APPROPRIATION OF COVID-19 FEDERAL FUNDS**

**SECTION 1.1.(a)** Federal funds received by the State as authorized under the Consolidated Appropriations Act, 2021, (P.L. 116-260), are appropriated in the amounts provided in the notification of award from the federal government or any entity acting on behalf of the federal government to administer the federal funds. State agencies may, with approval of the Director of the Budget, spend these funds received from federal receipts and federal grants. The programs and grant amounts in the schedule set forth in this subsection are estimates of North Carolina's allocations to be deposited in the State's Treasury and administered by State agencies. This schedule is meant to be illustrative of federal grants that have been, or will be, received by the State from the Consolidated Appropriations Act, 2021, (P.L. 116-260).

<u>Program</u>	<u>Amount</u>
Governor's Emergency Education Relief Fund (GEER II)	\$42,920,546
Governor's Emergency Education Relief Fund – Emergency Assistance to Nonpublic Schools (EANS)	\$84,824,393
Higher Education Emergency Relief Fund (HEER II)	\$292,693,289
Farm Stress Program Block Grants	\$500,000
Fisheries Disaster Assistance	\$5,202,534
Emergency Food Assistance Program (TEFAP)	\$12,813,000
Older Americans Act – Congregate and Home-Delivered Meals	\$5,172,595
ELC Enhancing Detection through Coronavirus Response and Relief Supplemental Funds	\$603,677,156

**SECTION 1.1.(b)** The final amount of federal funds awarded for the following programs are not yet known, but are hereby appropriated in the same manner as provided in subsection (a) of this section: Specialty Crop Block Grants, Supplemental Nutrition Assistance Program (SNAP), Commodity Supplemental Food Program, and School Nutrition and Child and Adult Care Food Program.



1 **EMERGENCY NEEDS FOR ELEMENTARY AND SECONDARY SCHOOLS OF THE**  
2 **STATE**

3 **SECTION 1.2.** S.L. 2021-1 is amended by adding a new section to read:

4 **"SECTION 5A.** The Department of Public Instruction shall use the funds reserved pursuant  
5 to subsection (c1) of Section 5 of this act as follows:

- 6 (1) \$500,000 shall be transferred to the Department of Natural and Cultural  
7 Resources to be allocated to the State Library for the NC Kids Digital Library  
8 project to address learning loss resulting from the COVID-19 pandemic by  
9 providing children with increased access to digital learning resources in public  
10 libraries, including e-books, audiobooks, and videos.
- 11 (2) \$500,000 to be allocated to the Governor Morehead School for the Blind,  
12 Eastern North Carolina School for the Deaf, and North Carolina School for  
13 the Deaf for school nutrition, cleaning and sanitizing, learning resources,  
14 including providing new instructional materials in braille for students with  
15 visual impairments, compensatory services, and Extended School Year  
16 Services related to the impacts of COVID-19.
- 17 (3) \$1,000,000 to be transferred to the Board of Governors of The University of  
18 North Carolina for the North Carolina New Teacher Support Program to  
19 provide mentoring and coaching support to beginning teachers who are  
20 employed in public schools most impacted by COVID-19 at no cost to the  
21 local school administrative units.
- 22 (4) \$1,000,000 to contract with a third-party entity to collect, analyze, and report  
23 data related to the overall impacts of COVID-19 on public school units,  
24 students, and families of the State, including the State's responsiveness to the  
25 COVID-19 pandemic, the transition to remote learning and return to in-person  
26 instruction, the systems in place for flexibility in education delivery,  
27 assessment of student performance, addressing issues of learning loss, teacher  
28 effectiveness and supports, and implementation of best practices and  
29 improvements for any significant future challenges. The Department shall  
30 submit a preliminary report by March 15, 2022, and a final report by  
31 December 15, 2022, to the Joint Legislative Education Oversight Committee  
32 on the findings of the third-party entity from the contract required by this  
33 subdivision.
- 34 (5) \$1,200,000 to be transferred to the Wildlife Resources Commission to be  
35 allocated to the Outdoor Heritage Special Fund (Budget Code: 24351; Fund  
36 Code: 2291) for the Outdoor Heritage Advisory Council's NC Schools Go  
37 Outside grant program to provide local opportunities for young people to  
38 reengage with learning experiences in safe outdoor settings.
- 39 (6) Up to \$10,000,000 to be allocated as needed to each public school unit in the  
40 State, except for schools operated by the State Board of Education, to ensure  
41 that each public school unit receives a total amount from the Elementary and  
42 Secondary School Emergency Relief II (ESSER II) Fund of at least one  
43 hundred eighty dollars (\$180.00) per pupil in federal grant funds according to  
44 the following:
- 45 a. If a public school unit did not receive funds pursuant to subsection (c)  
46 of Section 313 of P.L. 116-260, the public school unit shall receive an  
47 amount equal to one hundred eighty dollars (\$180.00) per pupil.
- 48 b. If a public school unit received funds pursuant to subsection (c) of  
49 Section 313 of P.L. 116-260, the per pupil amount allocated under this  
50 subdivision shall be reduced so that (i) the total amount in federal grant  
51 funds from the ESSER II Fund is equal to one hundred eighty dollars

1 (\$180.00) per pupil or (ii) the public school unit receives no additional  
2 funding because the total amount from the ESSER II Fund would  
3 exceed one hundred eighty dollars (\$180.00) per pupil.

4 The federal grant funds allocated under this subdivision shall be used for the  
5 purpose of responding to the impacts of COVID-19, including mitigating  
6 learning loss and reopening schools.

7 (7) \$10,000,000 to be allocated in a manner consistent with the formula for the  
8 Instructional Support Allotment. These funds shall be used for contracted  
9 services for school health support personnel to provide additional physical and  
10 mental health support services for students in response to COVID-19,  
11 including remote and in-person physical and mental health support services.  
12 For purposes of this subdivision, the term "school health support personnel"  
13 shall refer to school counselors, school nurses, school psychologists, and  
14 school social workers.

15 (8) \$10,000,000 to be allocated to public school units participating in a federal  
16 school nutrition program administered by the Food and Nutrition Service of  
17 the United States Department of Agriculture for school nutrition services  
18 provided in response to COVID-19. The allocation of grants shall be  
19 prioritized to public school units based on need as demonstrated by the  
20 expenditure of existing federal funding received for COVID-19 related  
21 impacts.

22 (9) \$1,000,000, in response to COVID-19, to contract with a third-party entity to  
23 conduct a statewide assessment of the cybersecurity capabilities of public  
24 schools and threats posed to public schools. In selecting a third-party entity to  
25 conduct the assessment, the Department shall not consider any entity currently  
26 under contract with the Department to provide services related to  
27 cybersecurity. The assessment required under this subdivision is confidential  
28 and not a public record as defined in G.S. 132-1. No later than June 20, 2021,  
29 the Department shall report the results of the assessment conducted by the  
30 third-party entity to the chairs of the Senate Appropriations/Base Budget  
31 Committee, the chairs of the House Appropriations Committee, the chairs of  
32 the Senate Appropriations Committee on General Government and  
33 Information Technology, and the chairs of the House Appropriations  
34 Committee on Information Technology. The report submitted by the  
35 Department is confidential and not a public record as defined in G.S. 132-1.

36 (10) \$9,000,000, in response to COVID-19, to contract with a third-party entity to  
37 implement a statewide cybersecurity program to improve the cybersecurity  
38 infrastructure of the public schools. The third-party entity shall be a business  
39 entity with broad experience in cybersecurity services, including a history of  
40 successful contracts in this State and at least one other state, and shall not have  
41 its principal office located in the People's Republic of China or the Russian  
42 Federation. Nothing in this subdivision is intended to contravene any existing  
43 treaty, law, agreement, or regulation of the United States. The funds shall not  
44 be allocated to a public school unit, and the program shall include at least the  
45 following components:

46 a. Funding for all costs related to the following for implementation of the  
47 program, as needed: hardware, software, licenses, support,  
48 maintenance, training, and labor.

49 b. Preparation for and understanding of evolving technology and  
50 evolving security threats in the State.

51 c. Adequate review and oversight of the program.

- 1                   d.       Integration among the various elements of the program.  
2                   e.       Development of systems improving accountability and responsibility  
3                         related to a security threat or breach.  
4           (11)   \$12,000,000 to contract with Voyager Sopris Learning, Inc., to provide  
5                   Language Essentials for Teachers of Reading and Spelling training for  
6                   teachers for improving the literacy and language development of students,  
7                   building strong foundational early literacy skills by utilizing the Science of  
8                   Reading, and recouping learning losses resulting from the COVID-19  
9                   pandemic. The funds shall be used for training programs to be delivered to  
10                  educators working with (i) children in the North Carolina Prekindergarten  
11                  (NC Pre-K) program, in consultation with the Department of Health and  
12                  Human Services, and (ii) children in kindergarten through fifth grade. Up to  
13                  fifty percent (50%) of the funds shall be used for the delivery of training  
14                  programs to educators in a combination of grade levels from NC Pre-K  
15                  programs through fifth grade during the 2021-2022 school year. The  
16                  remaining funds shall be used to provide the training programs to educators  
17                  through those grade levels during the 2022-2023 school year.  
18           (12)   \$15,000,000 for the Extended Learning and Integrated Student Supports  
19                  Competitive Grant Program (Program). Of these funds, the Department of  
20                  Public Instruction may use up to two hundred thousand dollars (\$200,000) to  
21                  administer the Program. The purpose of the Program is to fund high-quality,  
22                  independently validated extended learning and integrated student support  
23                  service programs for at-risk students whose learning has been negatively  
24                  affected by COVID-19 impacts. The programs funded shall raise standards  
25                  for student academic outcomes by focusing on the following:  
26                  a.       Use of an evidence-based model with a proven track record of success.  
27                  b.       Inclusion of rigorous, quantitative performance measures to confirm  
28                         effectiveness of the program.  
29                  c.       Deployment of multiple tiered supports in schools to address student  
30                         barriers to achievement, such as strategies to improve chronic  
31                         absenteeism, antisocial behaviors, academic growth, and enhancement  
32                         of parent and family engagement.  
33                  d.       Alignment with State performance measures, student academic goals,  
34                         and the North Carolina Standard Course of Study.  
35                  e.       Prioritization in programs to integrate clear academic content, in  
36                         particular, science, technology, engineering, and mathematics (STEM)  
37                         learning opportunities or reading development and proficiency  
38                         instruction.  
39                  f.       Minimization of student class size when providing instruction or  
40                         instructional supports and interventions.  
41                  g.       Expansion of student access to high-quality learning activities and  
42                         academic support that strengthen student engagement and leverage  
43                         community-based resources, which may include organizations that  
44                         provide mentoring services and private-sector employer involvement.  
45                  h.       Utilization of digital content to expand learning time, when  
46                         appropriate.  
47                  Grants shall be used to award funds for new or existing eligible programs for  
48                  at-risk students operated by (i) nonprofit corporations and (ii) nonprofit  
49                  corporations working in collaboration with local school administrative units.  
50                  Grant participants are eligible to receive grants in an amount of up to five  
51                  hundred thousand dollars (\$500,000) each year. Programs should focus on

1 servicing (i) at-risk students not performing at grade level as demonstrated by  
2 statewide assessments or not on track to meet year-end expectations, as  
3 demonstrated by existing indicators, including teacher identification, (ii)  
4 students at risk of dropout, and (iii) students at risk of school displacement  
5 due to suspension or expulsion as a result of antisocial behaviors. Priority  
6 consideration shall be given to applications demonstrating models that focus  
7 services and programs in schools that are identified as low-performing,  
8 pursuant to G.S. 115C-105.37. A grant participant shall provide certification  
9 to the Department of Public Instruction that the grants received under the  
10 program shall be matched on the basis of three dollars (\$3.00) in grant funds  
11 for every one dollar (\$1.00) in nongrant funds. Matching funds shall not  
12 include State funds. The Department shall also give priority consideration to  
13 an applicant that is a nonprofit corporation working in partnership with a local  
14 school administrative unit resulting in a match utilizing federal funds under  
15 Part A of Title I of the Elementary and Secondary Education Act of 1965, as  
16 amended, or Title IV of the Higher Education Act of 1965, as amended, and  
17 other federal or local funds. Matching funds may include in-kind contributions  
18 for up to fifty percent (50%) of the required match. A nonprofit corporation  
19 may act as its own fiscal agent for the purposes of this Program. Grant  
20 recipients shall report to the Department of Public Instruction for the year in  
21 which grant funds were expended on the progress of the Program, including  
22 alignment with State academic standards, data collection for reporting student  
23 progress, the source and amount of matching funds, and other measures. Grant  
24 recipients shall also submit a final report on key performance data, including  
25 statewide test results, attendance rates, graduation rates and promotion rates,  
26 and financial sustainability of the program. The Department shall provide a  
27 report on the Program to the Joint Legislative Education Oversight Committee  
28 by February 15 of each year following the year in which grant funds are  
29 awarded. The report shall include the results of the Program and  
30 recommendations regarding effective program models, standards, and  
31 performance measures based on student performance; leveraging of  
32 community-based resources to expand student access to learning activities;  
33 academic and behavioral support services; and potential opportunities for the  
34 State to invest in proven models for future grants programs. Funds shall be  
35 available for grants through the deadline established by applicable federal law  
36 and guidance for use of funds from the ESSER II Fund.

37 (13) \$40,000,000 to be held in reserve by the Department to be allocated to public  
38 school units to support in-person instruction programs to address learning loss  
39 and provide enrichment activities in the summer. The allocation of grants shall  
40 be prioritized to public school units based on need, as demonstrated by the  
41 expenditure of existing federal funding received for COVID-19 related  
42 impacts.

43 (14) \$26,046,144 to be held in reserve by the Department to be allocated to public  
44 school units to support COVID-19 related needs, including in-person  
45 instruction programs to address learning loss and provide enrichment  
46 activities in the summer. The allocation of grants shall be prioritized to public  
47 school units based on need, as demonstrated by the expenditure of existing  
48 federal funding received for COVID-19 related impacts.

49 (15) Up to \$8,012,955 to be used by the Department for administrative costs.

50 (16) If, on August 15, 2022, there are any remaining ESSER II funds from the  
51 allocations in subdivisions (1) through (11) and (13) and (14) of this section,

those funds shall be reallocated to the reserve described under subsection (c1) of Section 5 of this act to be used for expenditure on or after that date to meet additional emergency needs of the elementary and secondary schools of the State, as determined by the State Board of Education."

**ESSER II FUNDS**

**SECTION 1.3.** Section 5 of S.L. 2021-1 is amended by adding a new subsection to read:

**"SECTION 5.(c1)** After the Department of Public Instruction allocates federal grant funds to public school units pursuant to subsection (c) of Section 313 of P.L. 116-260, the State Board of Education shall reserve a portion of the remaining funds made available in the Elementary and Secondary School Emergency Relief II (ESSER II) Fund to be used to meet the emergency needs of the elementary and secondary schools of the State, pursuant to subsection (e) of Section 313 of P.L. 116-260, in accordance with Section 5A of this act."

**EMERGENCY RENTAL ASSISTANCE**

**SECTION 1.4.** Section 5 of S.L. 2021-1 reads as rewritten:

**"SECTION 5.(a)** Funds received from federal grants authorized under the Consolidated Appropriations Act, 2021, P.L. 116-260, for COVID-19 Vaccine Preparedness (Division M, Title III), for Elementary and Secondary School Emergency Relief Fund II (Division M, Title III), and for Emergency Rental Assistance (Division N, Title V) are appropriated in the amounts provided in the notification of award from the federal government or any entity acting on behalf of the federal government to administer the federal funds.

**"SECTION 5.(b)** The programs and grant amounts in the schedule set forth in this subsection are estimates of North Carolina's allocations from the Consolidated Appropriations Act, 2021, P.L. 116-260, for the programs listed in this subsection to be deposited in the State's Treasury and administered by the responsible agency. The responsible agencies may, with approval of the Director of the Budget, spend funds in the amounts received from the federal grants in this schedule. Positions created with such funds shall terminate at the earlier of the funds being fully expended or the deadline established by applicable federal law and guidance for use of the funds.

<u>Program (Responsible Agency)</u>	<u>Amount</u>
COVID-19 Vaccine Preparedness (Department of Health and Human Services)	\$94,768,784
Elementary and Secondary School Emergency Relief Fund II (Department of Public Instruction)	\$1,602,591,000
Emergency Rental Assistance (Office of Recovery and Resiliency, Department of Public Safety; Office of State Budget and Management)	\$546,597,070 \$546,596,104
<b>Total Estimated Funding</b>	<del>\$2,243,956,854</del> <b>\$2,243,955,888</b>

...  
**"SECTION 5.(e)** To the extent that current or future federal guidelines permit, the Office of Recovery and Resiliency (Office) shall administer the federal funds received for the Emergency Rental Assistance program described in this section in accordance with the following:

- (1) Local governments listed in subdivision (3) of this subsection that received direct allocations from the federal Emergency Rental Assistance program shall be provided their maximum allotment, minus any pro-rata adjustments authorized in subsection (f) of this section, from the Office as described in subdivision (3) of this subsection and shall manage those funds in accordance with local priorities and federal requirements. Local governments that received direct allocations from the federal Emergency Rental Assistance

1 program must exhaust their direct allocations before expending any of the  
 2 State allotment provided in subdivision (3). The State allotments provided to  
 3 local governments that received direct allocations from the federal Emergency  
 4 Rental Assistance program may be reallocated following the submission of the  
 5 report described in subsection (g) of this section.

6 (2) Allotments as listed in subdivision (3) of this subsection for counties that did  
 7 not receive a direct allocation from the federal Emergency Rental Assistance  
 8 program are the maximum aggregate amount to be provided to recipients  
 9 renting housing in the respective county and the Office shall reserve the  
 10 maximum amount to the respective county, minus any pro-rata adjustments  
 11 authorized in subsection (f). The Office shall provide awards to recipients  
 12 residing in the local governments described in this subdivision based upon the  
 13 actual amount of monthly rent owed by the tenant pursuant to the rental  
 14 agreement or the actual amount of utility costs owed by the recipient and shall  
 15 not be subject to any allowable average or other formula-based calculation.  
 16 The Office shall continue to provide awards for each county until the  
 17 maximum allotment amount has been exhausted.

18 (3) The Office shall reserve or allot a maximum amount of federal funds it  
 19 receives to eligible residents in each county in accordance with the following  
 20 schedule:

<u>COUNTY</u>	<u>MAXIMUM ALLOCATION</u>
21 Alamance County	\$11,177,275
22 Alexander County	2,607,617
23 Alleghany County	1,027,666
24 Anson County	2,288,574
25 Ashe County	2,502,784
26 Avery County	1,464,404
27 Beaufort County	3,635,144
28 Bertie County	1,910,763
29 Bladen County	2,959,405
30 Brunswick County	8,567,652
31 Buncombe County	10,126,014
32 Burke County	7,221,473
33 Cabarrus County	4,950,299
34 Caldwell County	6,474,413
35 Camden County	596,667
36 Carteret County	4,421,190
37 Caswell County	1,686,049
38 Catawba County	11,358,378
39 Chatham County	4,051,162
40 Cherokee County	2,557,195
41 Chowan County	1,130,810
42 Clay County	911,054
43 Cleveland County	8,136,058
44 Columbus County	5,366,755
45 Craven County	7,314,289
46 Cumberland County	17,398,891
47 Currituck County	1,500,884
48 Dare County	2,244,054
49 Davidson County	11,879,803
50 Davie County	2,565,624

1	<u>Duplin County</u>	4,996,991
2	<u>Durham County</u>	9,088,034
3	<u>Edgecombe County</u>	4,823,644
4	<u>Forsyth County</u>	16,010,132
5	<u>Franklin County</u>	4,642,382
6	<u>Gaston County</u>	8,405,226
7	<u>Gates County</u>	815,259
8	<u>Graham County</u>	704,205
9	<u>Granville County</u>	4,254,418
10	<u>Greene County</u>	1,803,582
11	<u>Guilford County</u>	20,578,731
12	<u>Halifax County</u>	4,935,567
13	<u>Harnett County</u>	9,344,006
14	<u>Haywood County</u>	4,614,768
15	<u>Henderson County</u>	7,279,220
16	<u>Hertford County</u>	2,135,606
17	<u>Hoke County</u>	4,359,892
18	<u>Hyde County</u>	437,682
19	<u>Iredell County</u>	10,172,569
20	<u>Jackson County</u>	3,516,245
21	<u>Johnston County</u>	6,419,397
22	<u>Jones County</u>	777,951
23	<u>Lee County</u>	4,445,554
24	<u>Lenoir County</u>	5,353,061
25	<u>Lincoln County</u>	4,669,742
26	<u>McDowell County</u>	3,771,421
27	<u>Macon County</u>	2,961,393
28	<u>Madison County</u>	1,660,905
29	<u>Martin County</u>	2,176,093
30	<u>Mecklenburg County</u>	27,611,773
31	<u>Mitchell County</u>	1,199,640
32	<u>Montgomery County</u>	2,233,607
33	<u>Moore County</u>	6,029,938
34	<u>Nash County</u>	7,080,463
35	<u>New Hanover County</u>	8,580,925
36	<u>Northampton County</u>	1,872,052
37	<u>Onslow County</u>	14,937,799
38	<u>Orange County</u>	7,636,241
39	<u>Pamlico County</u>	926,072
40	<u>Pasquotank County</u>	2,970,212
41	<u>Pender County</u>	3,990,020
42	<u>Perquimans County</u>	1,012,833
43	<u>Person County</u>	2,766,703
44	<u>Pitt County</u>	13,043,584
45	<u>Polk County</u>	1,483,152
46	<u>Randolph County</u>	10,953,729
47	<u>Richmond County</u>	4,228,682
48	<u>Robeson County</u>	13,728,554
49	<u>Rockingham County</u>	7,784,158
50	<u>Rowan County</u>	10,433,316
51	<u>Rutherford County</u>	5,750,933



1	<u>Sampson County</u>	<u>5,278,982</u>
2	<u>Scotland County</u>	<u>3,395,528</u>
3	<u>Stanly County</u>	<u>4,117,222</u>
4	<u>Stokes County</u>	<u>3,328,179</u>
5	<u>Surry County</u>	<u>5,640,906</u>
6	<u>Swain County</u>	<u>1,183,813</u>
7	<u>Transylvania County</u>	<u>2,362,488</u>
8	<u>Tyrrell County</u>	<u>407,359</u>
9	<u>Union County</u>	<u>3,408,310</u>
10	<u>Vance County</u>	<u>4,208,012</u>
11	<u>Wake County</u>	<u>16,789,357</u>
12	<u>Warren County</u>	<u>2,036,688</u>
13	<u>Washington County</u>	<u>1,102,152</u>
14	<u>Watauga County</u>	<u>4,158,631</u>
15	<u>Wayne County</u>	<u>10,312,712</u>
16	<u>Wilkes County</u>	<u>5,778,403</u>
17	<u>Wilson County</u>	<u>7,371,289</u>
18	<u>Yadkin County</u>	<u>2,826,767</u>
19	<u>Yancey County</u>	<u>1,448,898</u>
20	<u>TOTAL</u>	<u>\$546,596,104</u>

21 **SECTION 5.(f)** In accordance with applicable federal guidelines, the Office shall establish  
 22 a hotline to provide eligible households with case management and other services related to the  
 23 COVID-19 pandemic. The Office may use up to ten percent (10%) of funds received from the  
 24 Emergency Rental Assistance Program for the hotline, housing stability services, and  
 25 administrative costs; however, no more than three percent (3%) of funds received for the  
 26 Emergency Rental Assistance program may be used for administrative costs. Expenses incurred  
 27 under this subsection for housing stability services or administrative costs shall be deducted  
 28 pro-rata from the maximum allotments by county listed in subdivision (3) of subsection (e) of  
 29 this section.

30 **SECTION 5.(g)** The Office shall submit a report no later than May 15, 2021, to the Chairs  
 31 of the House Appropriations Committee, the Chairs of the Senate Appropriations/Base Budget  
 32 Committee, and the Fiscal Research Division containing at least all of the following:

- 33 (1) Amount of federal funds received from the Consolidated Appropriations Act,  
 34 2021, P.L. 116-260, actually expended, by county for rent and by county for  
 35 utilities, under the Emergency Rental Assistance program.
- 36 (2) Amount of federal funds received from the Consolidated Appropriations Act,  
 37 2021, P.L. 116-260, contractually obligated, by county for rent and by county  
 38 for utilities, under the Emergency Rental Assistance program.
- 39 (3) Recommendations on statewide reallocations, by county, needed in advance  
 40 of the federal deadline for reallocation of unused funds, including rationale  
 41 for the recommended reallocations and an estimate of the outstanding needs  
 42 by county. The recommendation should also include any funds that are not  
 43 anticipated to be needed for the ten percent (10%) set aside for housing  
 44 stability services and administrative costs.

45 **SECTION 5.(h)** In the event that the actual total amount of federal funds received from the  
 46 Emergency Rental Assistance program differs from the amount listed in Section 5(b) of S.L.  
 47 2021-1, the Office shall distribute the increased or reduced amounts proportionally in accordance  
 48 with the maximum county allotments."

50 **APPROPRIATION OF CERTAIN FEDERAL BLOCK GRANT FUNDS FOR DHHS**

1           **SECTION 1.5.(a)** There is appropriated from federal Child Care and Development  
2 Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the federal  
3 Consolidated Appropriations Act, 2021, to the Department of Health and Human Services,  
4 Division of Child Development and Early Education (Division), the sum of three hundred  
5 thirty-five million nine hundred twelve thousand three hundred ninety-three dollars  
6 (\$335,912,393) in nonrecurring funds for the following initiatives in response to the COVID-19  
7 pandemic:

- 8           (1)     Cleaning and sanitation.
- 9           (2)     Copayment assistance for families receiving subsidized childcare.
- 10          (3)     The North Carolina General Assembly encourages the Division to use a  
11                portion of the funds appropriated under this section to address early childhood  
12                education learning loss, including summer enrichment activities.
- 13          (4)     Upon maximizing the use of funds for initiatives under subdivisions (1)  
14                through (3) of this section, the Division may use funds for operational grants  
15                to childcare providers in accordance with Section 3.3(106a) of S.L. 2020-4,  
16                as amended.

17           The Division shall not use funds appropriated pursuant to this subsection for staff  
18 bonuses.

19           **SECTION 1.5.(b)** There is appropriated from federal Community Mental Health  
20 Services Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the  
21 federal Consolidated Appropriations Act, 2021, to the Department of Health and Human  
22 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services,  
23 the sum of forty-seven million four hundred sixty-five thousand eight hundred dollars  
24 (\$47,465,800) in nonrecurring funds for mental health services in response to the COVID-19  
25 pandemic. Of the funds appropriated under this section, the sum of two million one hundred  
26 thousand dollars (\$2,100,000) shall be allocated for the North Carolina Statewide Telepsychiatry  
27 Program (NC-STeP).

28           **SECTION 1.5.(c)** There is appropriated from federal Substance Abuse Prevention  
29 and Treatment Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to  
30 the federal Consolidated Appropriations Act, 2021, to the Department of Health and Human  
31 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services,  
32 the sum of eleven million two hundred forty-nine thousand forty-six dollars (\$11,249,046) in  
33 nonrecurring funds to provide services across the State to those in need due to the COVID-19  
34 pandemic.

## 35 36 **ALLOCATION OF ELC ENHANCING DETECTION THROUGH CORONAVIRUS** 37 **RESPONSE AND RELIEF SUPPLEMENTAL FUNDS**

38           **SECTION 1.6.** Funds received pursuant to Division M, Title III of the Consolidated  
39 Appropriations Act, 2021 (P.L. 116-260), and appropriated under Section 1.1(a) of this act as  
40 Enhancing Detection Through Coronavirus Response and Relief Supplemental Funds are  
41 allocated to the Department of Health and Human Services, Division of Public Health, in the  
42 amounts received in the notification of award from the federal government, for use in accordance  
43 with guidance and regulations for the Centers for Disease Control and Prevention's Emerging  
44 and Infection Disease Program (ELC) Enhancing Detection Expansion cooperative agreement as  
45 follows:

- 46           (1)     \$84,000,000 to be allocated to local health departments based upon the  
47                percentage of the State population served by each of the local health  
48                departments. Local health departments may not use the funds allocated under  
49                this subdivision for any purpose other than a purpose allowed under the ELC  
50                Enhancing Detection Expansion cooperative agreement grant. Local health

- 1 departments shall use these allocated funds to supplement and not supplant  
2 existing funds for such allowable purposes.
- 3 (2) \$15,000,000 to be allocated to the North Carolina Policy Collaboratory  
4 (Collaboratory) at the University of North Carolina at Chapel Hill through a  
5 grant agreement, subcontract, or other subrecipient agreement that addresses,  
6 formally and in writing, the arrangements for the Collaboratory to meet the  
7 programmatic, administrative, financial, and reporting requirements of the  
8 ELC Enhancing Detection Expansion cooperative agreement grant, including  
9 those necessary to ensure compliance with all applicable federal regulations  
10 and policies. The Collaboratory shall use these funds to develop and manage  
11 a plan for an initiative to implement alternative COVID-19 surveillance  
12 methods throughout the State utilizing the resources of The University of  
13 North Carolina and other partnerships that complements the activities of the  
14 Division of Public Health with respect to alternative COVID-19 surveillance  
15 methods. The plan may include, but is not limited to, wastewater surveillance  
16 and genetic sequencing to identify and catalog variant strains of  
17 SARS-CoV-2. In developing the plan, the Collaboratory, in consultation with  
18 the Division of Public Health, shall ensure the following:
- 19 a. That all plan components comply with the goals and intent of the ELC  
20 Enhancing Detection Expansion cooperative agreement grant.
  - 21 b. That the plan outlines a method for implementing the alternative  
22 COVID-19 surveillance methods utilizing the resources of The  
23 University of North Carolina.
  - 24 c. That the plan includes alternative COVID-19 surveillance methods for  
25 as many of the 17 constituent institutions of The University of North  
26 Carolina as feasible. The plan may include additional sites at the  
27 discretion of the Collaboratory and subject to approval by the Division  
28 of Public Health.

29 The Division of Public Health shall not allocate any funds to the  
30 Collaboratory under this subdivision, and the Collaboratory shall not expend  
31 any funds allocated under this subdivision, until the CDC approves of  
32 expending ELC Enhancing Detection Expansion cooperative agreement grant  
33 funds as outlined in this subdivision and in the plan developed pursuant to this  
34 subdivision. In the event (i) the CDC disapproves of expending these funds as  
35 outlined in this subdivision, including any components of the plan developed  
36 pursuant to this subdivision, and (ii) the Collaboratory is unable to gain  
37 subsequent CDC approval through revisions to any disapproved plan  
38 components, then the CDC-disapproved plan components shall not be  
39 implemented, and the Division of Public Health may use unexpended funds  
40 from disapproved plan components for any other CDC-approved activity  
41 allowed under the ELC Enhancing Detection Expansion cooperative  
42 agreement grant.

43  
44 **APPROPRIATION OF FEDERAL GRANT FUNDS TO GDAC FOR COVID-19**  
45 **UPGRADES TO THE NC COVID VACCINE MANAGEMENT SYSTEM AND NC**  
46 **HEALTHCONNEX**

47 **SECTION 1.6A.** To the extent allowed under applicable federal laws and guidance,  
48 the Department of Health and Human Services (DHHS) shall allocate to the Department of  
49 Information Technology, Government Data Analytics Center (GDAC), the sum of up to three  
50 million dollars (\$3,000,000) from the COVID-19 Vaccine Preparedness grant funds described in  
51 Section 5(b) of S.L. 2021-1 or from Federal Emergency Management Agency (FEMA) funds;

1 provided, however, that the total amount of the allocation shall not exceed the actual costs of the  
2 projects authorized by this section. These funds shall be used to cover the costs of (i) integration  
3 of the NC COVID Vaccine Management System (CVMS) with the statewide health information  
4 exchange network known as NC HealthConnex and (ii) added functionality to both CVMS and  
5 NC HealthConnex to support existing efforts to improve the State's public health response to  
6 COVID-19. In the event the federal government disapproves of the DHHS allocating the  
7 COVID-19 Vaccine Preparedness grant funds described in Section 5(b) of S.L. 2021-1 or FEMA  
8 funds to the GDAC for these purposes, the DHHS shall allocate to the GDAC up to three million  
9 dollars (\$3,000,000) of the ELC Enhancing Detection through Coronavirus Response and Relief  
10 Supplemental funds described in Section 1.1(a) of this act to cover the costs of the projects  
11 authorized by this section.  
12

13 **APPROPRIATION OF CRRSAA FUNDS RECEIVED FOR TRANSPORTATION**  
14 **PURPOSES AND OTHER ACTIONS TO BE TAKEN BY THE DEPARTMENT OF**  
15 **TRANSPORTATION**

16 **SECTION 1.7.(a)** Grants-In-Aid for Airports. – Federal funds in the amount of one  
17 million eighty-five thousand four hundred eighty-six dollars (\$1,085,486) received pursuant to  
18 the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), for  
19 Grants-In-Aid for Airports are appropriated to the Department of Transportation (Department)  
20 in the amounts set forth in the Federal Aviation Administration (FAA) "Airports Coronavirus  
21 Recovery Grants Program Allocations," dated February 19, 2021, and any amendments, to be  
22 used and allocated by the Department in accordance with the regulations and guidance issued by  
23 the FAA.

24 **SECTION 1.7.(b)** Highway Infrastructure Programs. – Federal funds received  
25 pursuant to the CRRSAA for Highway Infrastructure Programs are appropriated to the  
26 Department of Transportation in the amounts set forth in the Federal Highway Administration  
27 (FHWA) "Apportionment of Highway Infrastructure Program Funds Pursuant to The  
28 Coronavirus Response and Relief Supplemental Appropriations Act, 2021," dated January 15,  
29 2021 (FHWA Apportionment Notice), and any amendments, for use in accordance with FHWA  
30 regulations and guidance, and allocated by the Department as follows:

- 31 (1) \$229,282,615 to the Highway Fund that thereby fund and bill State  
32 Transportation Improvement (STI) projects and use federal cash  
33 reimbursements to advance STI projects delayed by the Department to  
34 prevent, prepare for, and respond to the coronavirus. All funds shall be used  
35 to advance delayed bridge replacement and interstate maintenance.
- 36 (2) \$29,454,289 to be suballocated to urbanized areas with a population of over  
37 200,000 as set forth in the FHWA Apportionment Notice for use by the  
38 recipient in accordance with FHWA regulations and guidelines.

39 **SECTION 1.7.(c)** Transit Infrastructure Grants. – Federal funds in the amount of  
40 seven hundred eighty-one thousand eight hundred sixty-one dollars (\$781,861) received pursuant  
41 to the CRRSAA for the Enhanced Mobility of Seniors and People with Disabilities Program (49  
42 U.S.C. § 5310) are appropriated to the Department of Transportation in the amounts set forth in  
43 the Federal Transit Administration (FTA) "Table 5: CRRSAA Apportionments for Enhanced  
44 Mobility for Seniors and Individuals with Disabilities (Section 5310)," last updated January 11,  
45 2021, and any amendments, to be used and allocated by the Department in accordance with the  
46 regulations, guidance, and formulas issued by the FTA and the Department.

47 **SECTION 1.7.(d)** Salary Increases Prohibited. – CRRSAA funds appropriated by  
48 this section may not be used to increase the salary or benefits, or both, of a Department employee.

49 **SECTION 1.7.(e)** Additional Funds for the Roadside Environmental Fund. – Of the  
50 funds appropriated from the Highway Fund to the Department of Transportation for the  
51 2020-2021 fiscal year, the sum of thirty million dollars (\$30,000,000) in nonrecurring funds shall

1 be allocated to the Roadside Environmental Fund for litter removal and other activities  
2 programmed within the Roadside Environmental Unit. Notwithstanding G.S. 143C-6-11, these  
3 funds are hereby incorporated into the Department Spend Plan to be spent by the Department as  
4 allocated by this subsection. The funds allocated and authorized for expenditure under this  
5 subsection are in addition to the ninety million dollars (\$90,000,000) authorized in the Spend  
6 Plan, dated December 2, 2020 (Spend Plan), for expenditure by the Roadside Environmental  
7 Unit. CRRSAA funds appropriated in subsection (b) of this section shall not be used to replace  
8 funds allocated by this subsection or authorized for expenditure by the Roadside Environmental  
9 Unit in the Spend Plan.

10 **SECTION 1.7.(f)** Report. – Each fiscal quarter, the Department of Transportation  
11 shall report to the Joint Legislative Transportation Oversight Committee on the use of the funds  
12 appropriated in this section until all the CRRSAA funds are expended or have reverted.  
13

## 14 **REPORT ON USE OF FEDERAL GRANT FUNDS**

15 **SECTION 1.8.(a)** The use of federal grant funds received under this Part shall be  
16 detailed in quarterly reports as provided in this subsection. A report required under this  
17 subsection shall include the amount of federal funds received; the amount of grant funds  
18 expended; how the funds were used, including program information such as number of people  
19 served and geographic distribution; the amount spent on administration; and the amount of funds  
20 that remained unspent. In addition, a report required under this subsection shall provide the  
21 number of full-time equivalent (FTE) positions established with funds received and, for each  
22 FTE position established, a position number, position status, date the position was established,  
23 hire date, and date on which the position is to be abolished. The requirement to submit a report  
24 under this subsection shall end upon submission of the final report from each entity that receives  
25 federal grant funds under this Part, which shall be no later than 90 days from the date the grant  
26 period ends for the relevant funds. The required quarterly report, the reporting entity, and the  
27 timing are as follows:

- 28 (1) Each public school unit receiving federal grant funds under this Part,  
29 beginning April 1, 2021, and quarterly thereafter, shall submit the report to  
30 the Department of Public Instruction. The Department of Public Instruction,  
31 beginning May 1, 2021, and quarterly thereafter, shall collate and submit the  
32 reports into a single, consolidated report to the Joint Legislative Commission  
33 on Governmental Operations and the Fiscal Research Division.
- 34 (2) Each State agency or department receiving federal grant funds under this Part,  
35 beginning April 1, 2021, shall submit the report to the Joint Legislative  
36 Commission on Governmental Operations and the Fiscal Research Division.

37 **SECTION 1.8.(b)** The appropriation of funds under this Part does not obligate the  
38 State or create an ongoing obligation of the State for future appropriations for programs or other  
39 purposes for which the funds shall be used.  
40

## 41 **PART II. VARIOUS CHANGES TO COVID-19 PANDEMIC RELIEF LEGISLATION**

### 42 **MEDICAID TEMPORARILY-INCREASED REIMBURSEMENT RATES**

43 **SECTION 2.1.** Section 4.6 of S.L. 2020-4 reads as rewritten:

44 **"SECTION 4.6.** In addition to the five percent (5%) rate increases already requested by the  
45 Department of Health and Human Services (DHHS) in the 1135 Medicaid disaster State Plan  
46 amendment (SPA) submitted to the Centers for Medicare and Medicaid Services on April 8,  
47 2020, for certain provider types, DHHS shall increase the fee-for-service Medicaid rates paid  
48 directly by the Division of Health Benefits for all remaining provider types by five percent (5%).  
49 The rate increases authorized under this section shall be effective March 1, 2020. Any rate  
50 increases authorized under this section shall expire on the earlier of the following dates:  
51

- 1 (1) The date the declared nationwide public health emergency as a result of the  
2 2019 novel coronavirus expires.  
3 (2) The date Executive Order No. 116, Declaration of a State of Emergency to  
4 Coordinate Response and Protective Actions to Prevent the Spread of  
5 COVID-19 expires or is rescinded.  
6 (3) ~~March 31, 2021.~~ June 30, 2021."  
7

## 8 STUDENT CONNECTIVITY FUNDS FOR COMPLIMENTARY INTERNET SERVICE

9 **SECTION 2.2.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,  
10 Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, Section  
11 4.9(a) of S.L. 2020-91, Section 1.2 of S.L. 2020-97, and Section 3.2 of S.L. 2021-1, reads as  
12 rewritten:

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

- 15 ...  
16 (8) \$21,000,000 to the Department of Public Instruction to improve ~~Internet~~  
17 internet connectivity for students, in response to COVID-19, by providing  
18 community and home mobile ~~Internet-internet~~ access points. These funds shall  
19 be used only for the purchase of devices and not for subscription services. For  
20 purposes of this subdivision, the term "subscription services" does not include  
21 internet service provided as part of the purchase price of a device or internet  
22 service purchased for a device without an ongoing monthly subscription.

23 ...."  
24

## 25 EXTEND WAIVER OF UNC STUDENT INTEREST CHARGES ON PAST DUE 26 ACCOUNTS

27 **SECTION 2.3.** Section 2.28 of S.L. 2020-3 reads as rewritten:

28 "**SECTION 2.28.** Notwithstanding G.S. 147-86.23, a constituent institution of The  
29 University of North Carolina shall not accrue or charge any interest to a past-due account  
30 receivable held by a student between March 13, 2020, and ~~September 15, 2020.~~ December 31,  
31 2021."  
32

## 33 PROVIDE TEMPORARY EXCEPTION TO LEAVE RULES FOR UNC STATE 34 EMPLOYEES

35 **SECTION 2.4.(a)** Employees of The University of North Carolina who are subject  
36 to the North Carolina Human Resources Act may use accrued sick, vacation, and bonus leave for  
37 any coronavirus disease 2019 (COVID-19) related absences, including child care or inability to  
38 telework. This section does not apply to leave options related to (i) terminal leave payouts for  
39 transfers, separations, or reductions in force, (ii) terminal use of leave prior to retirement, or (iii)  
40 unpaid time due to placement on a temporary emergency furlough.

41 **SECTION 2.4.(b)** This section expires December 31, 2021.  
42

## 43 EXTEND VIRTUAL CHARTER SCHOOL ENROLLMENT AUTHORITY

44 **SECTION 2.5.** Section 3.2 of S.L. 2020-97 reads as rewritten:

45 "**SECTION 3.2.(a)** Notwithstanding Section 8.35(b) of S.L. 2014-100, as amended by  
46 Section 7.13 of S.L. 2018-5, the two virtual charter schools participating in the pilot program  
47 pursuant to Section 8.35 of S.L. 2014-100, as amended, shall be permitted to increase student  
48 enrollment for the 2020-2021 school year and 2021-2022 school year only as follows: (i) North  
49 Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and (ii)  
50 North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students.  
51 A virtual charter school permitted an increase in student enrollment pursuant to this section shall

1 give enrollment priority to students for the ~~2021-2022-2022-2023~~ school year who were enrolled  
2 in the school for the 2020-2021 school year prior to the date this act became law.

3 **"SECTION 3.2.(b)** The virtual charter schools shall provide ~~an interim report~~ reports by  
4 March 15, 2021, and March 15, 2022, and a final report by November 15, ~~2021, 2022,~~ to the  
5 Joint Legislative Education Oversight Committee, on the impact of the increase in student  
6 enrollment permitted by subsection (a) of this section, including data on where students had been  
7 previously enrolled by local school administrative unit, charter school, or nonpublic school, the  
8 grade level of students, the withdrawal rate of students after enrollment, and any student  
9 performance and accountability data."

#### 10 11 **ABUSE CLAIM FILING DEADLINE**

12 **SECTION 2.6.(a)** Subsection (b) of Section 4.2 of S.L. 2019-245 reads as rewritten:

13 **"SECTION 4.2.(b)** Effective from January 1, 2020, until ~~December 31, 2021, December 31,~~  
14 2022, this section revives any civil action for child sexual abuse otherwise time-barred under  
15 G.S. 1-52 as it existed immediately before the enactment of this act."

16 **SECTION 2.6.(b)** This section is effective when it becomes law.  
17

#### 18 **REQUIRE LOCAL GOVERNMENTS TO ISSUE TEMPORARY CERTIFICATE OF** 19 **COMPLIANCE/OCCUPANCY TO HEALTH SERVICE FACILITIES**

20 **SECTION 2.7.(a)** Notwithstanding G.S. 136-18(5), 136-18(29), 136-93,  
21 160D-1116, and any other provision of law to the contrary, a local government shall issue a  
22 temporary certificate of compliance and temporary certificate of occupancy to a health service  
23 facility (facility) allowing for the full operational use of the facility in the following  
24 circumstances:

- 25 (1) The facility building is currently under construction, and the scheduled  
26 construction completion date for the building will occur before rescission of  
27 the COVID-19 emergency declaration.
- 28 (2) Subject to subdivision (3) of this section, the facility building complies with  
29 all applicable State and local laws and the terms of the building permit, and  
30 the facility building may be safely occupied.
- 31 (3) The only portions of the construction project remaining to be completed are  
32 off-site improvements to public roadways that were identified by the Traffic  
33 Impact Analysis for the project and required as conditions for the approval of  
34 the permit, and the facility agrees to (i) complete the roadway improvements  
35 within 18 months of the date of the certificate of occupancy and (ii) post a  
36 corresponding performance bond or letter of credit. The performance bond  
37 completion date and letter of credit expiration date, and all other terms of both  
38 instruments, shall remain in force notwithstanding the rescission of the  
39 COVID-19 emergency declaration prior to the completion of the roadway  
40 improvements.

41 For purposes of this section, the term "local government" has the same meaning as in  
42 G.S. 160D-1116, the term "health service facility" has the same meaning as in G.S. 131E-176,  
43 and the term "COVID-19 emergency declaration" means Executive Order No. 116 issued March  
44 10, 2020.

45 **SECTION 2.7.(b)** This section is effective when it becomes law and expires upon  
46 rescission of the COVID-19 emergency declaration or upon completion of the roadway  
47 improvements as agreed to by the facility, whichever is later.  
48

#### 49 **VACCINE ADMINISTRATION/PHARMACY TECHNICIANS AND INTERNS**

50 **SECTION 2.8.(a)** Section 3D.3 of S.L. 2020-3 reads as rewritten:

51 "..."

1 "SECTION 3D.3.(c1) The State Health Director shall amend, reissue, or replace any existing  
2 statewide standing order issued pursuant to this section, to ensure that the statewide standing  
3 order is consistent with federal law and guidance pertaining to qualified individuals who may  
4 administer a COVID-19 vaccine, including P.L. 109-148, "The Public Readiness and Emergence  
5 Preparedness Act," as amended, and associated declarations of public health emergencies and  
6 advisory opinions issued by the Secretary of the United States Department of Health and Human  
7 Services.

8 "SECTION 3D.3.(d) All of the following individuals shall be immune from any civil or  
9 criminal liability for actions authorized by this section as follows:

10 (1) The State Health Director acting pursuant to this section.

11 (2) Any pharmacist or qualified individual under State or federal law who  
12 administers a COVID-19 immunization or vaccine pursuant to a statewide  
13 standing order issued under this section.

14 ...."

15 SECTION 2.8.(b) This section is effective when it becomes law.

## 17 PHARMACISTS/LONG-ACTING INJECTABLES

18 SECTION 2.9.(a) G.S. 90-85.15B is amended by adding a new subsection to read:

19 "(c1) An immunizing pharmacist may administer a long-acting injectable medication to  
20 persons at least 18 years of age pursuant to a specific prescription order by a prescriber. An  
21 immunizing pharmacist who administers a long-acting injectable medication pursuant to this  
22 section shall do all of the following:

23 (1) Maintain a record of any administration of a long-acting injectable performed  
24 by the immunizing pharmacist to the patient in a patient profile or record.

25 (2) Within 72 hours after the administration of the long-acting injectable  
26 performed by the immunizing pharmacist to the patient, notify the patient's  
27 primary care provider identified by the patient."

28 SECTION 2.9.(b) G.S. 90-85.3(i1) reads as rewritten:

29 "(i1) "Immunizing pharmacist" means a licensed pharmacist who meets all of the following  
30 qualifications:

31 ...

32 (6) Administers ~~vaccines~~ vaccines, long-acting injectable medications, or  
33 immunizations in accordance with G.S. 90-18.15B."

34 SECTION 2.9.(c) The North Carolina Board of Pharmacy may adopt temporary  
35 rules to implement this section.

36 SECTION 2.9.(d) This section becomes effective October 1, 2021.

## 38 NOTARY/VIDEO WITNESS EXTENSIONS

39 SECTION 2.10.(a) G.S. 10B-25(n) reads as rewritten:

40 "(n) This section shall expire at 12:01 A.M. on ~~March 1, 2021;~~ December 31, 2021;  
41 provided, however, all notarial acts made in accordance with this section and while this section  
42 is in effect shall remain effective and shall not need to be reaffirmed."

43 SECTION 2.10.(b) G.S. 10B-200(b) reads as rewritten:

44 "(b) This Article expires ~~March 1, 2021;~~ December 31, 2021."

45 SECTION 2.10.(c) This section becomes effective March 1, 2021.

## 47 VIRTUAL EDUCATION REQUIREMENTS/REAL ESTATE APPRAISERS

48 SECTION 2.11.(a) The North Carolina Appraisal Board may amend, extend, or  
49 adopt emergency rules to modify any educational requirements implemented by the Board, in  
50 accordance with Section 3.20 of S.L. 2020-97. Notwithstanding Section 3.20(e) of S.L. 2020-97,  
51 any emergency rules adopted pursuant to this section shall expire on December 31, 2021.



1 SECTION 2.11.(b) This section is effective when it becomes law.

2  
3 **TEMPORARY SUSPENSION OF DHHS INSPECTIONS FOR CERTAIN LICENSED**  
4 **FACILITIES**

5 SECTION 2.12. Section 3E.3(c) of S.L. 2020-3 reads as rewritten:

6 "SECTION 3E.3.(c) This section is effective when it becomes law and expires 60 days after  
7 Executive Order No. 116 is rescinded, or ~~December 31, 2020,~~ December 31, 2021, whichever is  
8 earlier."

9  
10 **HEALTH CARE PROVIDER LIABILITY CLARIFICATION**

11 SECTION 2.13.(a) Section 3D.7(b) of S.L. 2020-3 reads as rewritten:

12 "SECTION 3D.7.(b) This section is effective when it becomes law and applies to acts or  
13 omissions occurring during either the time-pendency of Executive Order No. 116 issued on  
14 March 10, 2020, by Governor Roy A. Cooper, ~~and or during~~ any subsequent time period during  
15 which a state of emergency is declared to be in effect ~~during calendar year 2020~~ by the ~~Governor~~  
16 Governor, in any year, in response to COVID-19."

17 SECTION 2.13.(b) The clarifications in this section are consistent with the intent  
18 and purpose of this section as originally enacted in S.L. 2020-3.

19  
20 **VACCINE VOLUNTEERS**

21 SECTION 2.14.(a) G.S. 90-21.132(7) is amended by adding a new sub-subdivision  
22 to read:

23 "(7) Health care provider. –

24 ...

25 j. An individual who volunteers to assist a State agency, department, or  
26 approved organization in the administration of COVID-19  
27 vaccinations, including clinical, clinical support, and nonclinical  
28 support activities."

29 SECTION 2.14.(b) This section is effective when it becomes law and applies  
30 retroactively to acts or omissions occurring during the time of Executive Order No. 116 issued  
31 on March 10, 2020, by Governor Roy A. Cooper.

32  
33 **ADULT CARE HOMES LICENSURE CLARIFICATION**

34 SECTION 2.15.(a) G.S. 131D-2.4 reads as rewritten:

35 "§ 131D-2.4. **Licensure of adult care homes for aged and disabled individuals; impact of**  
36 **prior violations on licensure; compliance history review; license renewal.**

37 (a) Definitions. – The following definitions apply in this section:

38 (1) Person. – An individual; a trust or estate; a partnership; a corporation; or any  
39 grouping of individuals, each of whom owns five percent (5%) or more of a  
40 partnership or corporation, who collectively own a majority interest of either  
41 a partnership or a corporation.

42 (2) Owner. – Any person who has or had legal or equitable title to or a majority  
43 interest in an adult care home.

44 (3) Affiliate. – An adult care home that shares with another adult care home any  
45 of the following:

46 a. A common owner.

47 b. A common principal.

48 c. A common licensee.

49 (4) Principal. – Any person who is or was the owner or operator of an adult care  
50 home, an executive officer of a corporation that does or did own or operate an  
51 adult care home, a general partner of a partnership that does or did own or

1                   operate an adult care home, or a sole proprietorship that does or did own or  
2                   operate an adult care home.

3       (a1)    Licensure. – Except for those facilities exempt under G.S. 131D-2.3, the Department  
4 of Health and Human Services shall inspect and license all adult care homes. The Department  
5 shall issue a license for a facility not currently licensed as an adult care home for a period of six  
6 months. If the licensee demonstrates substantial compliance with Articles 1 and 3 of this Chapter  
7 and rules adopted thereunder, the Department shall issue a license for the balance of the calendar  
8 year. A facility not currently licensed as an adult care home that was licensed as an adult care  
9 home within the preceding 12 months is considered an existing health service facility for the  
10 purposes of G.S. 131E-184(a)(8).

11       (b)    Compliance History Review. – Prior to issuing a new license or renewing an existing  
12 license, the Department shall conduct a compliance history review of the facility and its  
13 principals and affiliates. The Department may refuse to license a facility when the compliance  
14 history review shows a pattern of noncompliance with State law by the facility or its principals  
15 or affiliates, or otherwise demonstrates disregard for the health, safety, and welfare of residents  
16 in current or past facilities. The Department shall require compliance history information and  
17 make its determination according to rules adopted by the Medical Care Commission.

18       (c)    Prior Violations. – No new license shall be issued for any adult care home to an  
19 applicant for licensure under any of the following circumstances for the period of time indicated:

20           (1)    Was the owner, principal, or affiliate of a licensable facility under this  
21 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
22 and was responsible for the operation of the facility that had its license  
23 revoked until five years after the date the revocation became effective.

24           (1a)   Was the owner, principal, or affiliate of a licensable facility under this  
25 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
26 and was responsible for the operation of the facility that had its license  
27 summarily suspended until five years after the date the suspension was lifted  
28 or terminated.

29           (2)    Is the owner, principal, or affiliate of an adult care home and is responsible  
30 for the operation of the facility that was assessed a penalty for a Type A or  
31 Type B violation until the earlier of one year from the date the penalty was  
32 assessed or until the home has substantially complied with the correction plan  
33 established pursuant to G.S. 131D-34 and substantial compliance has been  
34 certified by the Department.

35           (3)    Is the owner, principal, or affiliate of an adult care home and is responsible  
36 for the operation of the facility that had its license downgraded to provisional  
37 status or had its admissions suspended as a result of violations under this  
38 Article, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
39 until ~~six months from~~ the date of restoration from provisional to full licensure,  
40 termination of the provisional license, or lifting or termination of the  
41 suspension of admissions, as applicable. A provisional license or suspension  
42 of admissions for which an appeal is pending is exempt from consideration  
43 under this subdivision.

44           (4)    Repealed by Session Laws 2017-184, s. 1, effective October 1, 2017.

45           (5)    Is or was the owner, principal, or affiliate of an adult care home and is  
46 responsible for the operation of the facility where outstanding fees, fines, and  
47 penalties imposed by the State against the facility have not been paid. Fines  
48 and penalties for which an appeal is pending are exempt from consideration  
49 under this subdivision.

50       An applicant for new licensure may appeal a denial of certification of substantial compliance  
51 under subdivision (2) of this subsection by filing with the Department a request for review by the

1 Secretary within 10 days ~~of~~ after the date of denial of the certification. Within 10 days ~~of~~ after  
2 receipt of the request for review, the Secretary shall issue to the applicant a written determination  
3 that either denies certification of substantial compliance or certifies substantial compliance. The  
4 decision of the Secretary is final.

5 (d) License Renewals. – License renewals shall be valid for one year from the date of  
6 renewal unless revoked earlier by the Secretary for failure to comply with any part of this section  
7 or any rules adopted ~~hereunder.~~ under this section. Licenses shall be renewed annually upon  
8 filing and the Department's approval of the renewal application. The Department shall not renew  
9 a license if outstanding fees, fines, and penalties imposed by the State against the home have not  
10 been paid. Fines and penalties for which an appeal is pending are exempt from consideration.  
11 The renewal application shall contain all necessary and reasonable information that the  
12 Department may require.

13 (e) In order for an adult care home to maintain its license, it shall not hinder or interfere  
14 with the proper performance of duty of a lawfully appointed community advisory committee, as  
15 defined by G.S. 131D-31 and G.S. 131D-32.

16 (f) The Department shall not issue a new license for a change of ownership of an adult  
17 care home if outstanding fees, fines, and penalties imposed by the State against the home have  
18 not been paid. Fines and penalties for which an appeal is pending are exempt from consideration.  
19 The consent of the current licensee is not a required prerequisite to a change of ownership of an  
20 adult care home if the current licensee has (i) been removed from the facility pursuant to Articles  
21 3 and 7 of Chapter 42 of the General Statutes or (ii) abandoned the facility, as determined by the  
22 Department's reasonable discretion.

23 (g) Any applicant for licensure who wishes to contest the denial of a license is entitled to  
24 an administrative hearing as provided in Chapter 150B of the General Statutes. The applicant  
25 shall file a petition for a contested case within 30 days after the date the Department mails a  
26 written notice of the denial to the applicant."

27 **SECTION 2.15.(b)** This section supersedes any provision of 10A NCAC 13F .0201,  
28 or any other provision of the North Carolina Administrative Code, to the contrary. As promptly  
29 as practicable, the Medical Care Commission shall amend and update 10A NCAC 13F .0201 and  
30 any other impacted rule to reflect the changes enacted by this section.

31 **SECTION 2.15.(c)** This section applies to (i) applications for new licenses submitted  
32 to the Department of Health and Human Services, Division of Health Service Regulation  
33 (DHSR), on or after the effective date of this section, (ii) applications for the renewal of existing  
34 licenses submitted to the DHSR on or after the effective date of this section, and (iii) licenses  
35 downgraded by DHSR within the six-month period preceding the effective date of this section.  
36

### 37 **LIMIT PAPERWORK FOR CERTAIN UNCLAIMED PROPERTY**

38 **SECTION 2.16.** Section 2.6(b) of S.L. 2020-80 is repealed.  
39

### 40 **TEMPORARY FLEXIBILITY QIPS/EXTEND SUNSET**

41 **SECTION 2.17.** Section 3D.5(e) of S.L. 2020-3 reads as rewritten:

42 "**SECTION 3D.5.(e)** This section is effective when it becomes law and expires ~~December~~  
43 ~~31, 2021.~~ December 31, 2022."  
44

### 45 **PRESCRIPTION DRUG ACCESS FOR CERTAIN EXPIRED IDENTIFICATION**

46 **SECTION 2.18.(a)** Notwithstanding the provisions of subsection (h) of G.S. 90-91,  
47 subsection (d) of G.S. 90-93, subsection (a) of G.S. 90-106.1, G.S. 90-113.52, or any other  
48 provision of law to the contrary, a pharmacist may dispense the following controlled substances  
49 to individuals who present (i) a valid prescription for the controlled substance, if one is required  
50 under current law, and (ii) a North Carolina drivers license or identification card that expired

1 while Executive Order No. 116 (2020), Declaration of a State of Emergency to Coordinate  
2 Response and Protective Actions to Prevent the Spread of COVID-19, remains in effect:

- 3 (1) Paregoric, U.S.P.
- 4 (2) Any Schedule II controlled substances.
- 5 (3) Any of the Schedule III controlled substances listed in subdivisions (1)  
6 through (8) of subsection (d) of G.S. 90-91.
- 7 (4) Any Schedule V controlled substances.
- 8 (5) Pseudoephedrine products.

9 **SECTION 2.18.(b)** This section is effective when it becomes law and expires six  
10 months after the date the Governor signs an executive order rescinding said Executive Order No.  
11 116 (2020), Declaration of a State of Emergency to Coordinate Response and Protective Actions  
12 to Prevent the Spread of COVID-19, or December 31, 2021, whichever is earlier.

### 14 **ALLOW TOURISM DEVELOPMENT AUTHORITIES TO ACCESS PPP LOANS**

15 **SECTION 2.19.(a)** Chapter 153A of the General Statutes is amended by adding a  
16 new Article to read:

17 "Article 21.

18 "Tourism Development Authorities.

#### 19 **"§ 153A-406. Definitions.**

20 The following definitions apply in this Article:

- 21 (1) Economic Aid Act. – The Economic Aid to Hard-Hit Small Businesses,  
22 Nonprofits, and Venues Act (Title III) of the Consolidated Appropriations  
23 Act, 2021, P.L. 116-260.
- 24 (2) PPP loan. – A federal loan enacted under sections 1102 and 1106 of the  
25 Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136,  
26 and as amended by the Economic Aid Act.
- 27 (3) Tourism development authority. – A public authority under the Local  
28 Government Budget and Fiscal Control Act established by resolution adopted  
29 by the board of county commissioners to receive and expend the net proceeds  
30 of an occupancy tax.

#### 31 **"§153A-407. Borrowing authority for PPP loans.**

32 (a) Authority. – A tourism development authority may enter into a PPP loan. A tourism  
33 development authority shall comply with all the requirements and limitations of the PPP loan  
34 program and shall apply for forgiveness of the loan in a timely manner.

35 (b) No Power to Obligate State or County. – A tourism development authority may not  
36 obligate the State or the county that established the authority to repay a PPP loan and has no  
37 power to pledge the credit of the State or the county that established the authority.

38 (c) Notice. – A tourism development authority shall provide written notice to the board  
39 of commissioners within 30 days of its acceptance of a PPP loan. The notice shall include the  
40 loan amount, the covered period, and the date by which the authority must apply for forgiveness.

41 (d) Repayment. – Notwithstanding any limitation on the use or distribution of occupancy  
42 tax proceeds in a local act, a tourism development authority for which a PPP loan is not forgiven,  
43 in whole or in part, shall repay the loan, including interest, from occupancy tax proceeds remitted  
44 to the authority on or after receipt of the PPP loan proceeds.

45 (e) Sunset. – This Article is repealed effective January 1, 2028."

46 **SECTION 2.19.(b)** Chapter 160A of the General Statutes is amended by adding a  
47 new Article to read:

48 "Article 31.

49 "Tourism Development Authorities.

#### 50 **"§ 160A-800. Definitions.**

51 The following definitions apply in this Article:

- 1           (1) Economic Aid Act. – The Economic Aid to Hard-Hit Small Businesses,  
2           Nonprofits, and Venues Act (Title III) of the Consolidated Appropriations  
3           Act, 2021, P.L. 116-260.  
4           (2) PPP loan. – A federal loan enacted under sections 1102 and 1106 of the  
5           Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136,  
6           and as amended by the Economic Aid Act.  
7           (3) Tourism development authority. – A public authority under the Local  
8           Government Budget and Fiscal Control Act established by resolution adopted  
9           by the council of a municipality to receive and expend the net proceeds of an  
10           occupancy tax.

11 **"§160A-801. Borrowing authority for PPP loans.**

12           (a) Authority. – A tourism development authority may enter into a PPP loan. A tourism  
13 development authority shall comply with all the requirements and limitations of the PPP loan  
14 program and shall apply for forgiveness of the loan in a timely manner.

15           (b) No Power to Obligate State or City. – A tourism development authority may not  
16 obligate the State or the city that established the authority to repay a PPP loan and has no power  
17 to pledge the credit of the State or the city that established the authority.

18           (c) Notice. – A tourism development authority shall provide written notice to the city  
19 council within 30 days of its acceptance of a PPP loan. The notice shall include the loan amount,  
20 the covered period, and the date by which the authority must apply for forgiveness.

21           (d) Repayment. – Notwithstanding any limitation on the use or distribution of occupancy  
22 tax proceeds in a local act, a tourism development authority for which a PPP loan is not forgiven,  
23 in whole or in part, shall repay the loan, including interest, from occupancy tax proceeds remitted  
24 to the authority on or after receipt of the PPP loan proceeds.

25           (e) Sunset. – This Article is repealed effective January 1, 2028."

26           **SECTION 2.19.(c)** This section is effective when it becomes law.

27  
28 **PREPAID HEALTH PLAN ACCESS TO NC IMMUNIZATION REGISTRY**  
29 **INFORMATION**

30           **SECTION 2.20.** Notwithstanding any provision of Chapter 130A of the General  
31 Statutes or any other provision of law to the contrary, the Department of Health and Human  
32 Services shall, by July 1, 2021, grant each prepaid health plan, as defined in G.S. 108D-1, access  
33 to client-specific immunization information contained within the secure, web-based North  
34 Carolina Immunization Registry.

35  
36 **CLARIFY DEVELOPMENT APPROVAL EXTENSION**

37           **SECTION 2.21.(a)** Section 3.21 of S.L. 2020-97 reads as rewritten:

38 **"REEXTEND CERTAIN LOCAL GOVERNMENT APPROVALS AFFECTING THE**  
39 **DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE**

40           ...

41           **"SECTION 3.21.(b)** For any development approval that is current and valid at any point  
42 during the period beginning September 2, 2020, and ending 30 days after Executive Order No.  
43 116 is rescinded, the expiration date of the period of the development approval and any associated  
44 vested right under G.S. 160D-108 or G.S. 160D-108.1 is automatically extended ~~420~~ 150 days  
45 from the ~~expiration date.~~ date the Executive Order is rescinded.

46           ...

47           **"SECTION 3.21.(g)** This section is effective when it becomes law and expires 30 days after  
48 Executive Order No. 116 is rescinded. Any development approval extended in accordance with  
49 subsection (b) of this section shall remain in effect until ~~its expiration date~~ 150 days from the  
50 date the Executive Order is rescinded in accordance with subsection (b) of this section."

1           **SECTION 2.21.(b)** This section is effective when it becomes law and applies  
2 retroactively to vested rights existing on and after September 4, 2020.

3  
4 **EXPAND ACCESS TO EMERGENCY MEAT PROCESSING GRANTS**

5           **SECTION 2.22.** Section 4.2A of S.L. 2020-4, as enacted by Section 1.1(e) of S.L.  
6 2020-80 and amended by Section 1.4A of S.L. 2020-97, reads as rewritten:

7           **"SECTION 4.2A.(a)** Findings. – The General Assembly finds that the COVID-19  
8 emergency has resulted in serious and substantial impacts on the food supply chain. In particular,  
9 small livestock producers in the State have found that bottlenecks and lack of capacity among  
10 the small and independent meat processors and producers of further processed meat products  
11 who serve small livestock producers due to COVID-19 related slowdowns and capacity  
12 reductions have had a substantial negative impact on their ability to have their animals  
13 slaughtered and processed. Seafood processors lack capacity to meet increased and altered  
14 consumer demand for seafood products due to COVID-19 related changes in the market for  
15 seafood and seafood products. The General Assembly further finds that financial assistance to  
16 these processors for physical expansion and facility improvements, for workforce development,  
17 and for the creation of additional processing capacity is necessary to reduce disruptions in the  
18 supply chain for fresh meat and seafood and to help small producers get their product to market.

19 ...

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

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

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

42           (2) Eligible facility. – For purposes of this section, an eligible meat processing  
43 facility ~~is~~ includes the following:

- 44           a. ~~A~~ a food processing facility that meets both of the following  
45 requirements:
- 46           a.1. The plant contracts with independent livestock producers or  
47 seafood harvesters to process animals or seafood.
- 48           b.2. The United States Department of Agriculture (USDA)  
49 contracts with Department inspectors to conduct federal  
50 inspection activities authorized by the Talmadge-Aiken Act of  
51 1962 (7 U.S.C. §1633) at the plant, the plant is otherwise

- 1 regulated by the USDA or the FDA, or the plant is a  
 2 State-inspected facility.  
 3 b. A facility producing further processed meat products for which the  
 4 United States Department of Agriculture (USDA) contracts with  
 5 Department inspectors to conduct federal inspection activities  
 6 authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at  
 7 the plant, or which is a State-inspected facility, or which is a USDA  
 8 inspected processor of shelf-stable meat or meat products.  
 9 (3) The Department may prioritize projects that will create additional jobs.  
 10 (4) Recipients shall provide matching funds for the grant in the amount of one  
 11 dollar (\$1.00) from nongrant sources for every two dollars (\$2.00) provided  
 12 by the grant.

13 ...."

14  
 15 **NEW ATTORNEYS' OATH**

16 **SECTION 2.23.(a)** Notwithstanding G.S. 84-1, in response to the coronavirus  
 17 emergency, a justice or judge of the General Court of Justice may administer the required oath  
 18 prescribed for attorneys by G.S. 11-11 to an attorney remotely using a form of live video  
 19 conferencing technology, provided the individual taking the oath is personally known to the  
 20 justice or judge or provides satisfactory evidence of identity to the justice or judge.

21 **SECTION 2.23.(b)** This section is effective when it becomes law and expires  
 22 December 1, 2021.

23  
 24 **PART III. CORONAVIRUS RELIEF FUND REALLOCATIONS**

25 **SECTION 3.1.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,  
 26 Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, Section  
 27 4.9(a) of S.L. 2020-91, and Section 1.2 of S.L. 2020-97, reads as rewritten:

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

- 30 ...  
 31 (45) ~~\$75,000,000~~ \$83,000,000 to OSBM for Golden LEAF to provide loans in  
 32 accordance with Section 4.2 of this act.  
 33 ...  
 34 (47) ~~\$20,250,000~~ \$26,250,000 to the Department of Agriculture and Consumer  
 35 Services to be used to provide support for meat processing facilities and for  
 36 seafood processing facilities in accordance with Section 4.2A of this act.  
 37 ...  
 38 (52) ~~\$120,000,000~~ \$80,000,000 to the Department of Public Safety, Division of  
 39 Emergency Management to be used as the State match for any Federal  
 40 Emergency Management Agency public assistance funds provided in  
 41 response to the COVID-19 pandemic.  
 42 ...  
 43 (94) ~~\$14,300,000~~ \$5,300,000 to OSBM for ~~the PPE NC Initiative, a partnership~~  
 44 ~~between the Manufacturing Solutions Center (MSC) at Catawba Valley~~  
 45 ~~Community College, Gaston College's Textile Technology Center, the City of~~  
 46 ~~Conover, Gaston County, and the private sector to create a launch pad for~~  
 47 ~~prototyping and testing reusable personal protective equipment (PPE)~~  
 48 ~~products for entrepreneurs and existing manufacturers in response to the~~  
 49 ~~COVID-19 pandemic. The funds shall be allocated by OSBM as follows:~~  
 50 a. ~~\$9,000,000 as a grant to the City of Conover for the following~~  
 51 ~~purposes:~~

- 1                                    1.     \$7,250,000 shall be used to construct a purpose-built facility to
- 2     house testing labs, rapid prototyping, and a textile sourcing
- 3     library.
- 4                                    2.     \$1,250,000 shall be used for a clean room upfit for MSC
- 5     facilities.
- 6                                    3.     \$500,000 shall be used for equipment, materials, and logistics
- 7     for a rapid prototyping pilot line to create product and to train
- 8     a workforce for United States manufacturers of PPE.
- 9                                    b.     \$5,300,000 as a grant to Gaston County to construct an Incubator and
- 10     Extrusion Center for Advanced Fibers for Gaston College's Textile
- 11     Technology Center.

- 12                                    ...
- 13                                    (116) \$6,000,000 to the Department of Agriculture and Consumer Services to
- 14     distribute equally among each of the food banks in this State. The food banks
- 15     are encouraged to use the funds allocated in this subdivision to purchase food
- 16     from North Carolina-based farmers and vendors.
- 17                                    (117) \$8,000,000 to the Department of Administration for the ReTOOLNC grant
- 18     program to provide additional funds to assist State-certified, minority-owned,
- 19     and women-owned businesses in their recovery from the economic impacts of
- 20     the COVID-19 pandemic.
- 21                                    (118) \$3,000,000 to the Department of Commerce for a North Carolina nonprofit
- 22     corporation with which the Department contracts pursuant to
- 23     G.S. 143B-431.01(b) as a stimulus investment in Visit North Carolina's
- 24     marketing budget to be used to market North Carolina as a business and
- 25     tourism destination.
- 26                                    (119) \$1,000,000 to the Department of Agriculture and Consumer Services to
- 27     market North Carolina's agricultural products and State-owned attractions.
- 28                                    (120) \$2,000,000 to the Department of Agriculture and Consumer Services for the
- 29     Farm Worker Quarantine Program (Program). The Program shall provide
- 30     funding to reimburse eligible expenses for eligible farm workers required to
- 31     quarantine apart from family members or coworkers following a positive test
- 32     for COVID-19. For purposes of this subdivision, an "eligible expense" is the
- 33     cost of meals and lodging for the duration of the quarantine period, not to
- 34     exceed the per diem rates for federal employee travel determined by the
- 35     United States General Services Administration, and an "eligible farm worker"
- 36     is a worker who (i) is an alien, as described by 8 U.S.C. §
- 37     1101(a)(15)(H)(ii)(a), and (ii) is performing agricultural labor or services on
- 38     a farm in the State."

39                                    **SECTION 3.2.(a)** There is appropriated from the General Fund to the Office of State  
 40 Budget and Management the sum of nine million dollars (\$9,000,000) in nonrecurring funds for  
 41 the 2020-2021 fiscal year to be allocated as a grant to the City of Conover for the following  
 42 purposes:

- 43                                    (1)     \$7,250,000 shall be used to construct a purpose-built facility to house testing
- 44     labs, rapid prototyping, and a textile sourcing library.
- 45                                    (2)     \$1,250,000 shall be used for a clean room upfit for MSC facilities.
- 46                                    (3)     \$500,000 shall be used for equipment, materials, and logistics for a rapid
- 47     prototyping pilot line to create product and to train a workforce for United
- 48     States manufacturers of PPE.

49                                    **SECTION 3.2.(b)** The funds appropriated in this section shall not revert until June  
 50 30, 2022.

51                                    **SECTION 3.3.** Section 4.1 of S.L. 2021-1 reads as rewritten:



1 "SECTION 4.1.(a) There is transferred from the General Fund to the State Capital and  
2 Infrastructure Fund, established pursuant to G.S. 143C-3-4.1, the sum of ~~thirty-nine-forty-five~~  
3 million dollars (~~\$39,000,000~~) (~~\$45,000,000~~) for the 2020-2021 fiscal year.

4 "SECTION 4.1.(b) There is appropriated from the State Capital and Infrastructure Fund to  
5 the Growing Rural Economies with Access to Technology Fund, established pursuant to  
6 G.S. 143B-1373(b), the sum of ~~thirty-nine-forty-five~~ million dollars (~~\$39,000,000~~) (~~\$45,000,000~~)  
7 for the 2020-2021 fiscal year. Of the funds appropriated in this section, ~~thirty-thirty-six~~ million  
8 dollars (~~\$30,000,000~~) (~~\$36,000,000~~) shall be distributed in the special supplementary grant  
9 process established in Section 4.17 of S.L. 2020-4, as amended in this act. The remaining amount  
10 shall be used to fund supplementary project grants previously awarded. The funds appropriated  
11 in this section shall remain available until expended and shall not revert.

12 ...."

13 SECTION 3.4. Section 8 of S.L. 2020-64, as amended by Section 3.7 of S.L. 2021-1,  
14 reads as rewritten:

15 "..."

16 "SECTION 8.(b) Transfer. – The State Controller shall transfer the sum of six hundred  
17 ~~eighty-four-ninety-nine~~ million four hundred thousand dollars (~~\$684,400,000~~) (~~\$699,400,000~~)  
18 from the Coronavirus Relief Reserve established in Section 2.1 of S.L. 2020-4 to the Coronavirus  
19 Relief Fund established in Section 2.2 of that same act.

20 "SECTION 8.(c) Appropriation. – There is appropriated from the Coronavirus Relief Fund  
21 to the Office of State Budget and Management (OSBM) the sum of six hundred ~~eighty-four~~  
22 ~~ninety-nine~~ million four hundred thousand dollars (~~\$684,400,000~~) (~~\$699,400,000~~) in  
23 nonrecurring funds for the 2020-2021 fiscal year to be used to offset General Fund appropriations  
24 across State government for allowable expenditures of funds from the Coronavirus Relief Fund.

25 "SECTION 8.(d) Creation of Reserve. – There is created in the General Fund a Statewide  
26 Reserve for Appropriations (Reserve) (Budget Code: 190XX). The Reserve shall have a  
27 beginning negative appropriation balance of six hundred ~~eighty-four-ninety-nine~~ million four  
28 hundred thousand dollars (~~\$699,400,000~~) (~~\$684,400,000~~). By June 30, 2021, the Reserve shall  
29 have a balance of zero dollars (\$0.00).

30 ...."

31 SECTION 3.5.(a) Section 3.1 of S.L. 2020-4, as amended by Section 1 of S.L.  
32 2020-32, Section 1.1(b) of S.L. 2020-80, Section 1.1(a) of S.L. 2020-97, and Section 3.8(a) of  
33 S.L. 2021-1, reads as rewritten:

34 "SECTION 3.1. Transfer of Funds from Reserves to Relief Fund. – The State Controller  
35 shall transfer the sum of two billion three hundred ~~twenty-four-nine~~ million three hundred ninety  
36 thousand six hundred forty-six dollars (~~\$2,324,390,646~~) (~~\$2,309,390,646~~) for the 2019-2020  
37 fiscal year from the Reserve established in Section 2.1 of this act, and the sum of three hundred  
38 million dollars (\$300,000,000) for the 2019-2020 fiscal year from the Local Government  
39 Coronavirus Relief Reserve established in Section 2.3 of this act, to the Fund established in  
40 Section 2.2 of this act. All interest earned on funds held in the Reserve shall be transferred to the  
41 Coronavirus Relief Fund."

42 SECTION 3.5.(b) Section 3.2 of S.L. 2020-4, as amended by Section 2 of S.L.  
43 2020-32, Section 1.1(c) of S.L. 2020-80, Section 1.1(b) of S.L. 2020-97, and Section 3.8(b) of  
44 S.L. 2021-1, reads as rewritten:

45 "SECTION 3.2. Appropriation of Funds from Relief Fund to OSBM. – There is appropriated  
46 from the Fund to OSBM the sum of two billion six hundred ~~twenty-four-nine~~ million three  
47 hundred ninety thousand six hundred forty-six dollars (~~\$2,624,390,646~~) (~~\$2,609,390,646~~) in  
48 nonrecurring funds for the 2019-2020 fiscal year to be allocated and used as provided in Section  
49 3.3 of this act. The funds appropriated in this section shall not revert at the end of the 2019-2020  
50 fiscal year. Notwithstanding any provision of law to the contrary in this act or any other act  
51 appropriating funds from the Fund, funds appropriated from the Fund shall (i) remain available

1 to expend until the deadline established by applicable federal law or guidance and (ii) be returned  
2 in accordance with that applicable federal law or guidance if unexpended by that deadline."  
3

4 **PART IV. EFFECTIVE DATE**

5 **SECTION 4.1.** Except as otherwise provided, this act is effective when it becomes  
6 law.