

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
May 26, 2022
S.B. 835
PRINCIPAL CLERK

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SENATE BILL DRS45540-NGa-114

Short Title: A Sound Basic Education.

(Public)

Sponsors: Senator Robinson (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE A SOUND BASIC EDUCATION TO EVERY STUDENT IN NORTH
3 CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** For the purposes of this act, "Comprehensive Remedial Plan" means
6 the plan set out in the Consent Order on Leandro Remedial Action Plan for Fiscal Year 2021 in
7 the action of Hoke County Board of Education v. State of North Carolina, 95-CVS-1158 in the
8 General Court of Justice, Superior Court Division, Wake County, North Carolina, on September
9 11, 2020.

10 **SECTION 2.** No later than 30 days after this act becomes law, the State Controller
11 shall transfer the sum of seven hundred eighty-five million one hundred six thousand two hundred
12 forty-eight dollars (\$785,106,248) from the Savings Reserve Account to the General Fund, and
13 those funds are hereby appropriated as follows:

- 14 (1) \$142,900,000 in nonrecurring funds to the Department of Health and Human
15 Services to carry out the requirements of the Comprehensive Remedial Plan,
16 including the Appendix thereto.
17 (2) \$608,006,248 in nonrecurring funds to the Department of Public Instruction
18 to carry out the requirements of the Comprehensive Remedial Plan, including
19 the Appendix thereto.
20 (3) \$34,200,000 in nonrecurring funds to the Board of Governors of The
21 University of North Carolina to carry out the requirements of the
22 Comprehensive Remedial Plan, including the Appendix thereto.

23 **SECTION 3.(a)** The appropriations in Section 2 of this act are to be administered
24 consistent with and under the time frames set out in the Comprehensive Remedial Plan, including
25 the Appendix thereto.

26 **SECTION 3.(b)** The appropriations made in this act are for the maximum amounts
27 necessary to provide the services and accomplish the purposes described in the Comprehensive
28 Remedial Plan, including the Appendix thereto. Savings shall be effected where the total amounts
29 appropriated are not required to perform these services and accomplish these purposes, and,
30 notwithstanding any other provision of law to the contrary, the savings shall revert to the
31 appropriate fund on June 30, 2023.

32 **SECTION 4.** When developing the base budget, as defined in G.S. 143C-1-1, for the
33 2023-2024 fiscal year and each year thereafter, the Director of the Budget shall include the
34 amounts necessary to carry out the Comprehensive Remedial Plan as it exists when this act
35 becomes law. The Director of the Budget shall annually submit a report detailing how funds shall
36 be used in alignment with the Comprehensive Remedial Plan, including the Appendix thereto



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1 and items from the Comprehensive Remedial Plan which have action steps or costs that are yet
2 to be determined, to the Fiscal Research Division, the Joint Legislative Oversight Committee on
3 Health and Human Services, and the Joint Legislative Education Oversight Committee.

4 **SECTION 5.** This act is effective when it becomes law.