

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL 828  
Rules and Operations of the Senate Committee Substitute Adopted 12/4/18

Short Title: Technical Corrections.

(Public)

Sponsors:

Referred to:

December 4, 2018

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS TECHNICAL, CLARIFYING, AND CONFORMING  
CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

The General Assembly of North Carolina enacts:

**LAW ENFORCEMENT OFFICERS/TECHNICAL CORRECTION TO RETIREMENT  
DATES**

**SECTION 1.(a)** G.S. 135-5(b19), as amended by S.L. 2018-22, Section 3(b), reads  
as rewritten:

"(b19) Service Retirement Allowance of Members Retiring on or After July 1, 2002, but  
Before July 1, ~~2018~~, 2019. – Upon retirement from service in accordance with subsection (a) or  
(a1) of this section, on or after July 1, 2002, but before July 1, ~~2018~~, 2019, a member shall receive  
the following service retirement allowance:

...."

**SECTION 1.(b)** G.S. 135-5(b21), as enacted by S.L. 2018-22, Section 3(c), reads as  
rewritten:

"(b21) Service Retirement Allowance of Members Retiring on or After July 1, ~~2018~~, 2019.  
– Upon retirement from service on or after July 1, ~~2018~~, 2019, in accordance with subsection (a)  
or (a1) of this section, a member shall receive the following service retirement allowance:

...."

**SECTION 1.(c)** G.S. 128-27(b21), as amended by S.L. 2018-22, Section 3(f), reads  
as rewritten:

"(b21) Service Retirement Allowance of Member Retiring on or After July 1, 2003, but  
Before July 1, ~~2018~~, 2019. – Upon retirement from service in accordance with subsection (a) or  
(a1) above, on or after July 1, 2003, but before July 1, ~~2018~~, 2019, a member shall receive the  
following service retirement allowance:

...."

**SECTION 1.(d)** G.S. 128-27(b22), as enacted by S.L. 2018-22, Section 3(g), reads  
as rewritten:

"(b22) Service Retirement Allowance of Member Retiring on or After July 1, ~~2018~~, 2019. –  
Upon retirement from service in accordance with subsection (a) or (a1) of this section, on or after  
July 1, ~~2018~~, 2019, a member shall receive the following service retirement allowance:

...."

**SECTION 1.(e)** This section becomes effective July 1, 2019.

**CLARIFY USE OF GRANT FUNDS**



\* S 8 2 8 - V - 2 \*

1           **SECTION 2.(a)** Notwithstanding any provision of S.L. 2018-5 or the Committee  
2 Report described in Section 39.2 of that act to the contrary, the grant-in-aid provided to Patriot's  
3 Charity in Fund Code 1100 shall be provided to Patriot Military Family Foundation.

4           **SECTION 2.(b)** Section 26.3 of S.L. 2018-5, as amended by Section 6.1 of S.L.  
5 2018-97, reads as rewritten:

6 **"STATE BUDGET AND MANAGEMENT SPECIAL PROVISIONS**

7           **"SECTION 26.3.** Of the funds appropriated in this act to the Office of State Budget and  
8 Management, Special Appropriations, the sum of three million one hundred sixty-five thousand  
9 three hundred seven dollars (\$3,165,307) in nonrecurring funds for the 2018-2019 fiscal year  
10 shall be allocated as follows:

11           ...

12           (3) To provide law enforcement grants-in-aid to the following local governments:

13           ...

14           b.       \$15,000 to the Bryson City ~~Police~~ Fire Department for a ~~K-9 transport~~  
15 ~~unit~~ equipment upgrades.

16           ...

17           ...."

18  
19 **CLARIFY REQUIREMENTS FOR NON-STATE ENTITIES TO RECEIVE STATE**  
20 **FUNDS UNDER CERTAIN APPROPRIATIONS ACTS**

21           **SECTION 3.(a)** Section 6.2 of S.L. 2018-5 reads as rewritten:

22 **"NON-STATE ENTITIES/~~REPORT AND REVERSION~~ REQUIREMENTS FOR**  
23 **RECEIVING FUNDS**

24           ...

25           **"SECTION 6.2.(d) No Certification Required.** – Notwithstanding any rule or regulation to  
26 the contrary, a State agency administering funds appropriated in this act or S.L. 2017-57 for a  
27 non-State entity subject to the requirements of G.S. 143C-6-23 shall not require as a condition  
28 for receipt of the funds submission of any documentation attesting or certifying (i) that it is an  
29 organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code  
30 or (ii) that it is a nonprofit organization, unless a State statute or federal law specifically requires  
31 such attestation or certification."

32           **SECTION 3.(b)** The Office of State Budget shall review its rules governing  
33 disbursement of State funds to non-State entities to determine if its rules are in compliance with  
34 the requirements set forth in G.S. 143C-6-23. By March 1, 2019, the Office of State Budget and  
35 Management shall submit the findings of the review required under this subsection to the Fiscal  
36 Research Division and the chairs of the House of Representatives Committee on Appropriations  
37 and the Senate Appropriations/Base Budget Committee.

38  
39 **TECHNICAL CORRECTION/ASSISTANT DISTRICT ATTORNEY ALLOCATION**

40           **SECTION 4.** Section 3(c) of S.L. 2018-121 reads as rewritten:

41           **"SECTION 3.(c)** The merging of Montgomery County into Prosecutorial District 28, as  
42 enacted by this section, becomes effective January 1, 2019. All open investigations and pending  
43 cases in Montgomery County are transferred to Prosecutorial District 28, effective January 1,  
44 2019. The total number of ADAs in District 28 is ~~nine~~ six."

45  
46 **TRANSYLVANIA COUNTY GRANT CLARIFICATION**

47           **SECTION 4A.** Section 5.6(b)(6) of S.L. 2018-5, as enacted by Section 9.2 of S.L.  
48 2018-97, reads as rewritten:

49           "(6) Storm debris removal. – Twenty thousand dollars (\$20,000) to the ~~Department~~  
50 ~~of Environmental Quality, Division of Water Resources,~~ Office of State  
51 Budget and Management, to be used to provide a grant-in-aid to Transylvania

1 County for the purpose of storm debris cleanup in streams and rivers in the  
2 County. There shall be no non-State match required for the funds appropriated  
3 by this subdivision."  
4

5 **EFFECTIVE DATE**

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