

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS45253-MWa-97A

Short Title: DOT Cash Flow/Disaster Recovery. (Public)

Sponsors: Senators Rabon, Harrington, and J. Davis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO TRANSFER FUNDS TO THE DEPARTMENT OF TRANSPORTATION TO BE
3 USED FOR CASH FLOW NEEDS AS A RESULT OF DISASTER RECOVERY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Transfer from the Hurricane Florence Disaster Recovery Reserve. –
6 The State Controller shall transfer the sum of ninety-four million seven hundred thousand dollars
7 (\$94,700,000) from the Hurricane Florence Disaster Recovery Reserve to the Department of
8 Transportation General Maintenance Reserve in the Highway Fund.

9 **SECTION 2.** Transfer from the Office of State Budget and Management. – Of the
10 funds allocated to the Department of Transportation (Department) under Section 4.1 of S.L.
11 2018-136, the Office of State Budget and Management shall transfer the remaining sum to the
12 Department of Transportation General Maintenance Reserve in the Highway Fund.

13 **SECTION 3.** Use. – Notwithstanding any provision of law to the contrary, the
14 Department may use the funds transferred in Sections 1 and 2 of this act and any funds received
15 from the federal government as reimbursement for the use of funds transferred under Section 1
16 and Section 2 of this act, to meet the cash flow needs of the Department resulting from
17 expenditures related to disaster relief. The amount authorized for use under this section shall not
18 exceed the total aggregate amount of three hundred million dollars (\$300,000,000).

19 **SECTION 4.** Limitation. – The Department shall ensure that funds transferred in
20 this act are expended in a manner that does not adversely affect the Department's eligibility for
21 federal funds that are made available or are anticipated to be made available as a result of the
22 disaster.

23 **SECTION 5.** Repayment and reversion. – Funds transferred under Section 1 of this
24 act shall be fully restored to the Hurricane Florence Disaster Recovery Reserve. No later than
25 June 30, 2021, the Department shall transfer ninety-four million seven hundred thousand dollars
26 (\$94,700,000) to the Office of the State Controller for deposit in the Hurricane Florence Disaster
27 Recovery Reserve. Funds repaid to the Reserve do not constitute an "appropriation made by law"
28 as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

29 **SECTION 6.** Report. – Beginning October 1, 2019, and quarterly thereafter until
30 July 1, 2021, the Department shall submit a report detailing its use of funds transferred and made
31 available under this act to the Chairs of the Senate Appropriations/Base Budget Committee and
32 the House of Representatives Committee on Appropriations and the Fiscal Research Division.

33 **SECTION 7.** Effective date. – This act is effective when it becomes law.



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