

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 284  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10125-NG-58

Short Title: Repeal Right of Action/Capital Outlay Fund. (Public)

Sponsors: Representatives Potts, Hanig, Moss, and Pless (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL THE RIGHT OF A LOCAL BOARD OF EDUCATION TO FILE  
3 LEGAL ACTION CHALLENGING THE SUFFICIENCY OF FUNDS APPROPRIATED  
4 TO THE CAPITAL OUTLAY FUND.  
5 The General Assembly of North Carolina enacts:  
6 SECTION 1. Subsections (c), (d), and (e) of G.S. 115C-431 are repealed.  
7 SECTION 2. G.S. 115C-431 is amended by adding a new subsection to read:  
8 "(f) If agreement is not reached in mediation on the amount of money appropriated to the  
9 capital outlay fund, the decision of the county commissioners is final. The local board of  
10 education shall not file any legal action challenging the sufficiency of the funds appropriated by  
11 the board of county commissioners to the capital outlay fund."  
12 SECTION 3. G.S. 115C-432(a) reads as rewritten:  
13 "(a) After the board of county commissioners has made its appropriations to the local  
14 school administrative unit, or after the ~~appeal~~ procedure set out in G.S. 115C-431 ~~for the capital~~  
15 ~~outlay fund~~ has been concluded, the board of education shall adopt a budget resolution making  
16 appropriations for the budget year in such sums as the board may deem sufficient and proper.  
17 The budget resolution shall conform to the uniform budget format established by the State Board  
18 of Education."  
19 SECTION 4. This act is effective when it becomes law and applies to budget  
20 ordinances adopted on or after that date.

