

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**SENATE BILL 172\***

Short Title: 2021 COVID-19 Response & Relief. (Public)

Sponsors: Senators B. Jackson, Harrington, and Hise (Primary Sponsors).

Referred to: Rules and Operations of the Senate

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<br>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<br>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. No later than June 20, 2021, the Department shall  
28                   confidentially report the results of the assessment conducted by the third-party  
29                   entity to the chairs of the Senate Appropriations/Base Budget Committee, the  
30                   chairs of the House Appropriations Committee, the chairs of the Senate  
31                   Appropriations Committee on General Government and Information  
32                   Technology, and the chairs of the House Appropriations Committee on  
33                   Information Technology.
- 34                   (10)              \$9,000,000, in response to COVID-19, to implement a statewide  
35                   cybersecurity program to improve the cybersecurity infrastructure of the  
36                   public schools. The program shall be operated by the Department or an entity  
37                   that contracts with the Department, and these funds shall not be allocated to a  
38                   public school unit. The program shall include at least the following  
39                   components:
- 40                   a.                Funding for all costs related to the following for implementation of the  
41                   program, as needed: hardware, software, licenses, support,  
42                   maintenance, training, and labor.
- 43                   b.                Preparation for and understanding of evolving technology and  
44                   evolving security threats in the State.
- 45                   c.                Adequate review and oversight of the program.
- 46                   d.                Integration among the various elements of the program.
- 47                   e.                Development of systems improving accountability and responsibility  
48                   related to a security threat or breach.
- 49                   (11)              \$12,000,000 to contract with Voyager Sopris Learning, Inc., to provide  
50                   Language Essentials for Teachers of Reading and Spelling training for  
51                   teachers for improving the literacy and language development of students,

1 building strong foundational early literacy skills by utilizing the Science of  
2 Reading, and recouping learning losses resulting from the COVID-19  
3 pandemic. The funds shall be used for training programs to be delivered to  
4 educators working with (i) children in the North Carolina Prekindergarten  
5 (NC Pre-K) program, in consultation with the Department of Health and  
6 Human Services, and (ii) children in kindergarten through fifth grade. Up to  
7 fifty percent (50%) of the funds shall be used for the delivery of training  
8 programs to educators in a combination of grade levels from NC Pre-K  
9 programs through fifth grade during the 2021-2022 school year. The  
10 remaining funds shall be used to provide the training programs to educators  
11 through those grade levels during the 2022-2023 school year.

12 (12) \$15,000,000 for the Extended Learning and Integrated Student Supports  
13 Competitive Grant Program (Program). Of these funds, the Department of  
14 Public Instruction may use up to two hundred thousand dollars (\$200,000) to  
15 administer the Program. The purpose of the Program is to fund high-quality,  
16 independently validated extended learning and integrated student support  
17 service programs for at-risk students whose learning has been negatively  
18 affected by COVID-19 impacts. The programs funded shall raise standards  
19 for student academic outcomes by focusing on the following:

- 20 a. Use of an evidence-based model with a proven track record of success.  
21 b. Inclusion of rigorous, quantitative performance measures to confirm  
22 effectiveness of the program.  
23 c. Deployment of multiple tiered supports in schools to address student  
24 barriers to achievement, such as strategies to improve chronic  
25 absenteeism, antisocial behaviors, academic growth, and enhancement  
26 of parent and family engagement.  
27 d. Alignment with State performance measures, student academic goals,  
28 and the North Carolina Standard Course of Study.  
29 e. Prioritization in programs to integrate clear academic content, in  
30 particular, science, technology, engineering, and mathematics (STEM)  
31 learning opportunities or reading development and proficiency  
32 instruction.  
33 f. Minimization of student class size when providing instruction or  
34 instructional supports and interventions.  
35 g. Expansion of student access to high-quality learning activities and  
36 academic support that strengthen student engagement and leverage  
37 community-based resources, which may include organizations that  
38 provide mentoring services and private-sector employer involvement.  
39 h. Utilization of digital content to expand learning time, when  
40 appropriate.

41 Grants shall be used to award funds for new or existing eligible programs for  
42 at-risk students operated by (i) nonprofit corporations and (ii) nonprofit  
43 corporations working in collaboration with local school administrative units.  
44 Grant participants are eligible to receive grants in an amount of up to five  
45 hundred thousand dollars (\$500,000) each year. Programs should focus on  
46 serving (i) at-risk students not performing at grade level as demonstrated by  
47 statewide assessments or not on track to meet year-end expectations, as  
48 demonstrated by existing indicators, including teacher identification, (ii)  
49 students at risk of dropout, and (iii) students at risk of school displacement  
50 due to suspension or expulsion as a result of antisocial behaviors. Priority  
51 consideration shall be given to applications demonstrating models that focus

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

31 (13) \$40,000,000 to be held in reserve by the Department to be allocated to public  
32 school units to support in-person instruction programs to address learning loss  
33 and provide enrichment activities in the summer. The allocation of grants shall  
34 be prioritized to public school units based on need, as demonstrated by the  
35 expenditure of existing federal funding received for COVID-19 related  
36 impacts.

37 (14) \$26,046,144 to be held in reserve by the Department to be allocated to public  
38 school units to support COVID-19 related needs, including in-person  
39 instruction programs to address learning loss and provide enrichment  
40 activities in the summer. The allocation of grants shall be prioritized to public  
41 school units based on need, as demonstrated by the expenditure of existing  
42 federal funding received for COVID-19 related impacts.

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

44 (16) \$1,000,000, in response to COVID-19, to contract with a third-party entity to  
45 conduct a statewide assessment of the cybersecurity capabilities of public  
46 schools and threats posed to public schools. In selecting a third-party entity to  
47 conduct the assessment, the Department shall not consider any entity currently  
48 under contract with the Department to provide services related to  
49 cybersecurity. The assessment required under this subdivision is confidential  
50 and not a public record as defined in G.S. 132-1. No later than June 20, 2021,  
51 the Department shall report the results of the assessment conducted by the

- 1 third-party entity to the chairs of the Senate Appropriations/Base Budget  
2 Committee, the chairs of the House Appropriations Committee, the chairs of  
3 the Senate Appropriations Committee on General Government and  
4 Information Technology, and the chairs of the House Appropriations  
5 Committee on Information Technology. The report submitted by the  
6 Department is confidential and not a public record as defined in G.S. 132-1.  
7 (17) \$9,000,000, in response to COVID-19, to contract with a third-party entity to  
8 implement a statewide cybersecurity program to improve the cybersecurity  
9 infrastructure of the public schools. The third-party entity shall be a business  
10 entity with broad experience in cybersecurity services, including a history of  
11 successful contracts in this State and at least one other state, and shall not have  
12 its principal office located in the People's Republic of China or the Russian  
13 Federation. Nothing in this subdivision is intended to contravene any existing  
14 treaty, law, agreement, or regulation of the United States. The funds shall not  
15 be allocated to a public school unit, and the program shall include at least the  
16 following components:  
17 a. Funding for all costs related to the following for implementation of the  
18 program, as needed: hardware, software, licenses, support,  
19 maintenance, training, and labor.  
20 b. Preparation for and understanding of evolving technology and  
21 evolving security threats in the State.  
22 c. Adequate review and oversight of the program.  
23 d. Integration among the various elements of the program.  
24 e. Development of systems improving accountability and responsibility  
25 related to a security threat or breach.  
26 (18) If, on August 15, 2022, there are any remaining ESSER II funds from the  
27 allocations in subdivisions (1) through (11) and (13) and (14) of this section,  
28 those funds shall be reallocated to the reserve described under subsection (c1)  
29 of Section 5 of this act to be used for expenditure on or after that date to meet  
30 additional emergency needs of the elementary and secondary schools of the  
31 State, as determined by the State Board of Education."  
32

### ESSER II FUNDS

33 **SECTION 1.3.** Section 5 of S.L. 2021-1 is amended by adding a new subsection to  
34 read:  
35

36 "SECTION 5.(c1) After the Department of Public Instruction allocates federal grant funds  
37 to public school units pursuant to subsection (c) of Section 313 of P.L. 116-260, the State Board  
38 of Education shall reserve a portion of the remaining funds made available in the Elementary and  
39 Secondary School Emergency Relief II (ESSER II) Fund to be used to meet the emergency needs  
40 of the elementary and secondary schools of the State, pursuant to subsection (e) of Section 313  
41 of P.L. 116-260, in accordance with Section 5A of this act."  
42

### EMERGENCY RENTAL ASSISTANCE

43 **SECTION 1.4.** Section 5 of S.L. 2021-1 reads as rewritten:  
44

45 **"SECTION 5.(a)** Funds received from federal grants authorized under the Consolidated  
46 Appropriations Act, 2021, P.L. 116-260, for COVID-19 Vaccine Preparedness (Division M, Title  
47 III), for Elementary and Secondary School Emergency Relief Fund II (Division M, Title III), and  
48 for Emergency Rental Assistance (Division N, Title V) are appropriated in the amounts provided  
49 in the notification of award from the federal government or any entity acting on behalf of the  
50 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<br>(Department of Health and Human Services)  | \$94,768,784           |
| Elementary and Secondary School Emergency Relief Fund II<br>(Department of Public Instruction)  | \$1,602,591,000        |
| Emergency Rental Assistance<br>(Office of Recovery and Resiliency, Department of Public Safety;<br>Office of State Budget and Management) | \$546,597,070          |
| <b>Total Estimated Funding</b>  | <b>\$2,243,956,854</b> |

... **\$2,243,955,888**

"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 program must exhaust their direct allocations before expending any of the State allotment provided in subdivision (3). The State allotments provided to local governments that received direct allocations from the federal Emergency Rental Assistance program may be reallocated following the submission of the report described in subsection (g) of this section.
- (2) Allotments as listed in subdivision (3) of this subsection for counties that did not receive a direct allocation from the federal Emergency Rental Assistance program are the maximum aggregate amount to be provided to recipients renting housing in the respective county and the Office shall reserve the maximum amount to the respective county, minus any pro-rata adjustments authorized in subsection (f). The Office shall provide awards to recipients residing in the local governments described in this subdivision based upon the actual amount of monthly rent owed by the tenant pursuant to the rental agreement or the actual amount of utility costs owed by the recipient and shall not be subject to any allowable average or other formula-based calculation. The Office shall continue to provide awards for each county until the maximum allotment amount has been exhausted.
- (3) The Office shall reserve or allot a maximum amount of federal funds it receives to eligible residents in each county in accordance with the following schedule:

| <u>COUNTY</u>           | <u>MAXIMUM ALLOCATION</u> |
|-------------------------|---------------------------|
| <u>Alamance County</u>  | <u>\$11,177,275</u>       |
| <u>Alexander County</u> | <u>2,607,617</u>          |

|    |                          |            |
|----|--------------------------|------------|
| 1  | <u>Alleghany County</u>  | 1,027,666  |
| 2  | <u>Anson County</u>      | 2,288,574  |
| 3  | <u>Ashe County</u>       | 2,502,784  |
| 4  | <u>Avery County</u>      | 1,464,404  |
| 5  | <u>Beaufort County</u>   | 3,635,144  |
| 6  | <u>Bertie County</u>     | 1,910,763  |
| 7  | <u>Bladen County</u>     | 2,959,405  |
| 8  | <u>Brunswick County</u>  | 8,567,652  |
| 9  | <u>Buncombe County</u>   | 10,126,014 |
| 10 | <u>Burke County</u>      | 7,221,473  |
| 11 | <u>Cabarrus County</u>   | 4,950,299  |
| 12 | <u>Caldwell County</u>   | 6,474,413  |
| 13 | <u>Camden County</u>     | 596,667    |
| 14 | <u>Carteret County</u>   | 4,421,190  |
| 15 | <u>Caswell County</u>    | 1,686,049  |
| 16 | <u>Catawba County</u>    | 11,358,378 |
| 17 | <u>Chatham County</u>    | 4,051,162  |
| 18 | <u>Cherokee County</u>   | 2,557,195  |
| 19 | <u>Chowan County</u>     | 1,130,810  |
| 20 | <u>Clay County</u>       | 911,054    |
| 21 | <u>Cleveland County</u>  | 8,136,058  |
| 22 | <u>Columbus County</u>   | 5,366,755  |
| 23 | <u>Craven County</u>     | 7,314,289  |
| 24 | <u>Cumberland County</u> | 17,398,891 |
| 25 | <u>Currituck County</u>  | 1,500,884  |
| 26 | <u>Dare County</u>       | 2,244,054  |
| 27 | <u>Davidson County</u>   | 11,879,803 |
| 28 | <u>Davie County</u>      | 2,565,624  |
| 29 | <u>Duplin County</u>     | 4,996,991  |
| 30 | <u>Durham County</u>     | 9,088,034  |
| 31 | <u>Edgecombe County</u>  | 4,823,644  |
| 32 | <u>Forsyth County</u>    | 16,010,132 |
| 33 | <u>Franklin County</u>   | 4,642,382  |
| 34 | <u>Gaston County</u>     | 8,405,226  |
| 35 | <u>Gates County</u>      | 815,259    |
| 36 | <u>Graham County</u>     | 704,205    |
| 37 | <u>Granville County</u>  | 4,254,418  |
| 38 | <u>Greene County</u>     | 1,803,582  |
| 39 | <u>Guilford County</u>   | 20,578,731 |
| 40 | <u>Halifax County</u>    | 4,935,567  |
| 41 | <u>Harnett County</u>    | 9,344,006  |
| 42 | <u>Haywood County</u>    | 4,614,768  |
| 43 | <u>Henderson County</u>  | 7,279,220  |
| 44 | <u>Hertford County</u>   | 2,135,606  |
| 45 | <u>Hoke County</u>       | 4,359,892  |
| 46 | <u>Hyde County</u>       | 437,682    |
| 47 | <u>Iredell County</u>    | 10,172,569 |
| 48 | <u>Jackson County</u>    | 3,516,245  |
| 49 | <u>Johnston County</u>   | 6,419,397  |
| 50 | <u>Jones County</u>      | 777,951    |
| 51 | <u>Lee County</u>        | 4,445,554  |



|    |                            |               |
|----|----------------------------|---------------|
| 1  | <u>Lenoir County</u>       | 5,353,061     |
| 2  | <u>Lincoln County</u>      | 4,669,742     |
| 3  | <u>McDowell County</u>     | 3,771,421     |
| 4  | <u>Macon County</u>        | 2,961,393     |
| 5  | <u>Madison County</u>      | 1,660,905     |
| 6  | <u>Martin County</u>       | 2,176,093     |
| 7  | <u>Mecklenburg County</u>  | 27,611,773    |
| 8  | <u>Mitchell County</u>     | 1,199,640     |
| 9  | <u>Montgomery County</u>   | 2,233,607     |
| 10 | <u>Moore County</u>        | 6,029,938     |
| 11 | <u>Nash County</u>         | 7,080,463     |
| 12 | <u>New Hanover County</u>  | 8,580,925     |
| 13 | <u>Northampton County</u>  | 1,872,052     |
| 14 | <u>Onslow County</u>       | 14,937,799    |
| 15 | <u>Orange County</u>       | 7,636,241     |
| 16 | <u>Pamlico County</u>      | 926,072       |
| 17 | <u>Pasquotank County</u>   | 2,970,212     |
| 18 | <u>Pender County</u>       | 3,990,020     |
| 19 | <u>Perquimans County</u>   | 1,012,833     |
| 20 | <u>Person County</u>       | 2,766,703     |
| 21 | <u>Pitt County</u>         | 13,043,584    |
| 22 | <u>Polk County</u>         | 1,483,152     |
| 23 | <u>Randolph County</u>     | 10,953,729    |
| 24 | <u>Richmond County</u>     | 4,228,682     |
| 25 | <u>Robeson County</u>      | 13,728,554    |
| 26 | <u>Rockingham County</u>   | 7,784,158     |
| 27 | <u>Rowan County</u>        | 10,433,316    |
| 28 | <u>Rutherford County</u>   | 5,750,933     |
| 29 | <u>Sampson County</u>      | 5,278,982     |
| 30 | <u>Scotland County</u>     | 3,395,528     |
| 31 | <u>Stanly County</u>       | 4,117,222     |
| 32 | <u>Stokes County</u>       | 3,328,179     |
| 33 | <u>Surry County</u>        | 5,640,906     |
| 34 | <u>Swain County</u>        | 1,183,813     |
| 35 | <u>Transylvania County</u> | 2,362,488     |
| 36 | <u>Tyrrell County</u>      | 407,359       |
| 37 | <u>Union County</u>        | 3,408,310     |
| 38 | <u>Vance County</u>        | 4,208,012     |
| 39 | <u>Wake County</u>         | 16,789,357    |
| 40 | <u>Warren County</u>       | 2,036,688     |
| 41 | <u>Washington County</u>   | 1,102,152     |
| 42 | <u>Watauga County</u>      | 4,158,631     |
| 43 | <u>Wayne County</u>        | 10,312,712    |
| 44 | <u>Wilkes County</u>       | 5,778,403     |
| 45 | <u>Wilson County</u>       | 7,371,289     |
| 46 | <u>Yadkin County</u>       | 2,826,767     |
| 47 | <u>Yancey County</u>       | 1,448,898     |
| 48 | <u>TOTAL</u>               | \$546,596,104 |

49 **SECTION 5.(f)** In accordance with applicable federal guidelines, the Office shall establish  
50 a hotline to provide eligible households with case management and other services related to the  
51 COVID-19 pandemic. The Office may use up to ten percent (10%) of funds received from the

1 Emergency Rental Assistance Program for the hotline, housing stability services, and  
2 administrative costs; however, no more than three percent (3%) of funds received for the  
3 Emergency Rental Assistance program may be used for administrative costs. Expenses incurred  
4 under this subsection for housing stability services or administrative costs shall be deducted  
5 pro-rata from the maximum allotments by county listed in subdivision (3) of subsection (e) of  
6 this section.

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

- 10 (1) Amount of federal funds received from the Consolidated Appropriations Act,  
11 2021, P.L. 116-260, actually expended, by county for rent and by county for  
12 utilities, under the Emergency Rental Assistance program.
- 13 (2) Amount of federal funds received from the Consolidated Appropriations Act,  
14 2021, P.L. 116-260, contractually obligated, by county for rent and by county  
15 for utilities, under the Emergency Rental Assistance program.
- 16 (3) Recommendations on statewide reallocations, by county, needed in advance  
17 of the federal deadline for reallocation of unused funds, including rationale  
18 for the recommended reallocations and an estimate of the outstanding needs  
19 by county. The recommendation should also include any funds that are not  
20 anticipated to be needed for the ten percent (10%) set aside for housing  
21 stability services and administrative costs.

22 **SECTION 5.(h)** In the event that the actual total amount of federal funds received from the  
23 Emergency Rental Assistance program differs from the amount listed in Section 5(b) of S.L.  
24 2021-1, the Office shall distribute the increased or reduced amounts proportionally in accordance  
25 with the maximum county allotments."

## 27 **APPROPRIATION OF CERTAIN FEDERAL BLOCK GRANT FUNDS FOR DHHS**

28 **SECTION 1.5.(a)** There is appropriated from federal Child Care and Development  
29 Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the federal  
30 Consolidated Appropriations Act, 2021, to the Department of Health and Human Services,  
31 Division of Child Development and Early Education (Division), the sum of three hundred  
32 thirty-five million nine hundred twelve thousand three hundred ninety-three dollars  
33 (\$335,912,393) in nonrecurring funds for the following initiatives in response to the COVID-19  
34 pandemic:

- 35 (1) Cleaning and sanitation.
- 36 (2) Copayment assistance for families receiving subsidized childcare.
- 37 (3) The North Carolina General Assembly encourages the Division to use a  
38 portion of the funds appropriated under this section to address early childhood  
39 education learning loss, including summer enrichment activities.
- 40 (4) Upon maximizing the use of funds for initiatives under subdivisions (1)  
41 through (3) of this section, the Division may use funds for operational grants  
42 to childcare providers in accordance with Section 3.3(106a) of S.L. 2020-4,  
43 as amended.

44 The Division shall not use funds appropriated pursuant to this subsection for staff  
45 bonuses.

46 **SECTION 1.5.(b)** There is appropriated from federal Community Mental Health  
47 Services Block Grant funds received for the fiscal year ending June 30, 2021, pursuant to the  
48 federal Consolidated Appropriations Act, 2021, to the Department of Health and Human  
49 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services,  
50 the sum of forty-seven million four hundred sixty-five thousand eight hundred dollars  
51 (\$47,465,800) in nonrecurring funds for mental health services in response to the COVID-19

1 pandemic. Of the funds appropriated under this section, the sum of two million one hundred  
2 thousand dollars (\$2,100,000) shall be allocated for the North Carolina Statewide Telepsychiatry  
3 Program (NC-STeP).

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

11  
12 **ALLOCATION OF ELC ENHANCING DETECTION THROUGH CORONAVIRUS**  
13 **RESPONSE AND RELIEF SUPPLEMENTAL FUNDS**

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

- 22 (1) \$84,000,000 to be allocated to local health departments based upon the  
23 percentage of the State population served by each of the local health  
24 departments. Local health departments may not use the funds allocated under  
25 this subdivision for any purpose other than a purpose allowed under the ELC  
26 Enhancing Detection Expansion cooperative agreement grant. Local health  
27 departments shall use these allocated funds to supplement and not supplant  
28 existing funds for such allowable purposes.
- 29 (2) \$15,000,000 to be allocated to the North Carolina Policy Collaboratory  
30 (Collaboratory) at the University of North Carolina at Chapel Hill through a  
31 grant agreement, subcontract, or other subrecipient agreement that addresses,  
32 formally and in writing, the arrangements for the Collaboratory to meet the  
33 programmatic, administrative, financial, and reporting requirements of the  
34 ELC Enhancing Detection Expansion cooperative agreement grant, including  
35 those necessary to ensure compliance with all applicable federal regulations  
36 and policies. The Collaboratory shall use these funds to develop and manage  
37 a plan for an initiative to implement alternative COVID-19 surveillance  
38 methods throughout the State utilizing the resources of The University of  
39 North Carolina and other partnerships that complements the activities of the  
40 Division of Public Health with respect to alternative COVID-19 surveillance  
41 methods. The plan may include, but is not limited to, wastewater surveillance  
42 and genetic sequencing to identify and catalog variant strains of  
43 SARS-CoV-2. In developing the plan, the Collaboratory, in consultation with  
44 the Division of Public Health, shall ensure the following:
- 45 a. That all plan components comply with the goals and intent of the ELC  
46 Enhancing Detection Expansion cooperative agreement grant.
- 47 b. That the plan outlines a method for implementing the alternative  
48 COVID-19 surveillance methods utilizing the resources of The  
49 University of North Carolina.
- 50 c. That the plan includes alternative COVID-19 surveillance methods for  
51 as many of the 17 constituent institutions of The University of North

1 Carolina as feasible. The plan may include additional sites at the  
2 discretion of the Collaboratory and subject to approval by the Division  
3 of Public Health.

4 The Division of Public Health shall not allocate any funds to the  
5 Collaboratory under this subdivision, and the Collaboratory shall not expend  
6 any funds allocated under this subdivision, until the CDC approves of  
7 expending ELC Enhancing Detection Expansion cooperative agreement grant  
8 funds as outlined in this subdivision and in the plan developed pursuant to this  
9 subdivision. In the event (i) the CDC disapproves of expending these funds as  
10 outlined in this subdivision, including any components of the plan developed  
11 pursuant to this subdivision, and (ii) the Collaboratory is unable to gain  
12 subsequent CDC approval through revisions to any disapproved plan  
13 components, then the CDC-disapproved plan components shall not be  
14 implemented, and the Division of Public Health may use unexpended funds  
15 from disapproved plan components for any other CDC-approved activity  
16 allowed under the ELC Enhancing Detection Expansion cooperative  
17 agreement grant.  
18

19 **APPROPRIATION OF FEDERAL GRANT FUNDS TO GDAC FOR COVID-19**  
20 **UPGRADES TO THE NC COVID VACCINE MANAGEMENT SYSTEM AND NC**  
21 **HEALTHCONNEX**

22 **SECTION 1.6A.** To the extent allowed under applicable federal laws and guidance,  
23 the Department of Health and Human Services (DHHS) shall allocate to the Department of  
24 Information Technology, Government Data Analytics Center (GDAC), the sum of up to three  
25 million dollars (\$3,000,000) from the COVID-19 Vaccine Preparedness grant funds described in  
26 Section 5(b) of S.L. 2021-1 or from Federal Emergency Management Agency (FEMA) funds;  
27 provided, however, that the total amount of the allocation shall not exceed the actual costs of the  
28 projects authorized by this section. These funds shall be used to cover the costs of (i) integration  
29 of the NC COVID Vaccine Management System (CVMS) with the statewide health information  
30 exchange network known as NC HealthConnex and (ii) added functionality to both CVMS and  
31 NC HealthConnex to support existing efforts to improve the State's public health response to  
32 COVID-19. In the event the federal government disapproves of the DHHS allocating the  
33 COVID-19 Vaccine Preparedness grant funds described in Section 5(b) of S.L. 2021-1 or FEMA  
34 funds to the GDAC for these purposes, the DHHS shall allocate to the GDAC up to three million  
35 dollars (\$3,000,000) of the ELC Enhancing Detection through Coronavirus Response and Relief  
36 Supplemental funds described in Section 1.1(a) of this act to cover the costs of the projects  
37 authorized by this section.  
38

39 **APPROPRIATION OF CRRSAA FUNDS RECEIVED FOR TRANSPORTATION**  
40 **PURPOSES AND OTHER ACTIONS TO BE TAKEN BY THE DEPARTMENT OF**  
41 **TRANSPORTATION**

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

50 **SECTION 1.7.(b)** Highway Infrastructure Programs. – Federal funds received  
51 pursuant to the CRRSAA for Highway Infrastructure Programs are appropriated to the

1 Department of Transportation in the amounts set forth in the Federal Highway Administration  
2 (FHWA) "Apportionment of Highway Infrastructure Program Funds Pursuant to The  
3 Coronavirus Response and Relief Supplemental Appropriations Act, 2021," dated January 15,  
4 2021 (FHWA Apportionment Notice), and any amendments, for use in accordance with FHWA  
5 regulations and guidance, and allocated by the Department as follows:

- 6 (1) \$30,000,000 to the Department for maintenance activities within the Roadside  
7 Environmental Unit for litter removal and other activities programmed within  
8 the Roadside Environmental Unit. Notwithstanding G.S. 143C-6-11.1, these  
9 funds are hereby incorporated into the Department Spend Plan to be spent by  
10 the Department as allocated by this section.
- 11 (2) \$199,282,615 to the Highway Trust Fund to advance State Transportation  
12 Improvement Program (STI) projects delayed by the Department to prevent,  
13 prepare for, and respond to the coronavirus. Any remaining funds shall be  
14 used to advance delayed bridge replacement and interstate maintenance.
- 15 (3) \$29,454,289 to be suballocated to urbanized areas with a population of over  
16 200,000 as set forth in the FHWA Apportionment Notice for use by the  
17 recipient in accordance with FHWA regulations and guidelines.

18 **SECTION 1.7.(c) Transit Infrastructure Grants.** – Federal funds in the amount of  
19 seven hundred eighty-one thousand eight hundred sixty-one dollars (\$781,861) received pursuant  
20 to the CRRSAA for the Enhanced Mobility of Seniors and People with Disabilities Program (49  
21 U.S.C. § 5310) are appropriated to the Department of Transportation in the amounts set forth in  
22 the Federal Transit Administration (FTA) "Table 5: CRRSAA Apportionments for Enhanced  
23 Mobility for Seniors and Individuals with Disabilities (Section 5310)," last updated January 11,  
24 2021, and any amendments, to be used and allocated by the Department in accordance with the  
25 regulations, guidance, and formulas issued by the FTA and the Department.

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

28 **SECTION 1.7.(e) Additional Funds for the Roadside Environmental Fund.** – Of the  
29 funds appropriated from the Highway Fund to the Department of Transportation for the  
30 2020-2021 fiscal year, the sum of thirty million dollars (\$30,000,000) in nonrecurring funds shall  
31 be allocated to the Roadside Environmental Fund for litter removal and other activities  
32 programmed within the Roadside Environmental Unit. Notwithstanding G.S. 143C-6-11, these  
33 funds are hereby incorporated into the Department Spend Plan to be spent by the Department as  
34 allocated by this subsection. The funds allocated and authorized for expenditure under this  
35 subsection are in addition to the ninety million dollars (\$90,000,000) authorized in the Spend  
36 Plan, dated December 2, 2020 (Spend Plan), for expenditure by the Roadside Environmental  
37 Unit, and the CRRSAA funds allocated to the Roadside Environmental Unit in subdivision (1)  
38 of subsection (b) of this section. CRRSAA funds appropriated in subsection (b) of this section  
39 shall not be used to replace funds allocated by this subsection or authorized for expenditure by  
40 the Roadside Environmental Unit in the Spend Plan.

41 **SECTION 1.7.(f) Report.** – Each fiscal quarter, the Department of Transportation  
42 shall report to the Joint Legislative Transportation Oversight Committee on the use of the funds  
43 appropriated in this section until all the CRRSAA funds are expended or have reverted.  
44

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

46 **SECTION 1.8.(a)** The use of federal grant funds received under this Part shall be  
47 detailed in quarterly reports as provided in this subsection. A report required under this  
48 subsection shall include the amount of federal funds received; the amount of grant funds  
49 expended; how the funds were used, including program information such as number of people  
50 served and geographic distribution; the amount spent on administration; and the amount of funds  
51 that remained unspent. In addition, a report required under this subsection shall provide the

1 number of full-time equivalent (FTE) positions established with funds received and, for each  
2 FTE position established, a position number, position status, date the position was established,  
3 hire date, and date on which the position is to be abolished. The requirement to submit a report  
4 under this subsection shall end upon submission of the final report from each entity that receives  
5 federal grant funds under this Part, which shall be no later than 90 days from the date the grant  
6 period ends for the relevant funds. The required quarterly report, the reporting entity, and the  
7 timing are as follows:

- 8 (1) Each public school unit receiving federal grant funds under this Part,  
9 beginning April 1, 2021, and quarterly thereafter, shall submit the report to  
10 the Department of Public Instruction. The Department of Public Instruction,  
11 beginning May 1, 2021, and quarterly thereafter, shall collate and submit the  
12 reports into a single, consolidated report to the Joint Legislative Commission  
13 on Governmental Operations and the Fiscal Research Division.
- 14 (2) Each State agency or department receiving federal grant funds under this Part,  
15 beginning April 1, 2021, shall submit the report to the Joint Legislative  
16 Commission on Governmental Operations and the Fiscal Research Division.

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

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

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

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

23 **"SECTION 4.6.** In addition to the five percent (5%) rate increases already requested by the  
24 Department of Health and Human Services (DHHS) in the 1135 Medicaid disaster State Plan  
25 amendment (SPA) submitted to the Centers for Medicare and Medicaid Services on April 8,  
26 2020, for certain provider types, DHHS shall increase the fee-for-service Medicaid rates paid  
27 directly by the Division of Health Benefits for all remaining provider types by five percent (5%).  
28 The rate increases authorized under this section shall be effective March 1, 2020. Any rate  
29 increases authorized under this section shall expire on the earlier of the following dates:

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

### 36 **STUDENT CONNECTIVITY FUNDS FOR COMPLEMENTARY INTERNET SERVICE**

37 **SECTION 2.2.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,  
38 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  
39 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  
40 rewritten:

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

- 43 ...
- 44 (8) \$21,000,000 to the Department of Public Instruction to improve ~~Internet~~  
45 internet connectivity for students, in response to COVID-19, by providing  
46 community and home mobile ~~Internet-internet~~ internet access points. These funds shall  
47 be used only for the purchase of devices and not for subscription services. For

1 purposes of this subdivision, the term "subscription services" does not include  
2 internet service provided as part of the purchase price of a device or internet  
3 service purchased for a device without an ongoing monthly subscription.

4 ...."

5  
6 **EXTEND WAIVER OF UNC STUDENT INTEREST CHARGES ON PAST DUE**  
7 **ACCOUNTS**

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

9 "SECTION 2.28. Notwithstanding G.S. 147-86.23, a constituent institution of The  
10 University of North Carolina shall not accrue or charge any interest to a past-due account  
11 receivable held by a student between March 13, 2020, and ~~September 15, 2020~~December 31,  
12 2021."

13  
14 **PROVIDE TEMPORARY EXCEPTION TO LEAVE RULES FOR UNC STATE**  
15 **EMPLOYEES**

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

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

23  
24 **EXTEND VIRTUAL CHARTER SCHOOL ENROLLMENT AUTHORITY**

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

26 "SECTION 3.2.(a) Notwithstanding Section 8.35(b) of S.L. 2014-100, as amended by  
27 Section 7.13 of S.L. 2018-5, the two virtual charter schools participating in the pilot program  
28 pursuant to Section 8.35 of S.L. 2014-100, as amended, shall be permitted to increase student  
29 enrollment for the 2020-2021 school year and 2021-2022 school year only as follows: (i) North  
30 Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and (ii)  
31 North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students.  
32 A virtual charter school permitted an increase in student enrollment pursuant to this section shall  
33 give enrollment priority to students for the ~~2021-2022-2022-2023~~ school year who were enrolled  
34 in the school for the 2020-2021 school year prior to the date this act became law.

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

42  
43 **ABUSE CLAIM FILING DEADLINE**

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

45 "SECTION 4.2.(b) Effective from January 1, 2020, until ~~December 31, 2021,~~ December 31,  
46 2022, this section revives any civil action for child sexual abuse otherwise time-barred under  
47 G.S. 1-52 as it existed immediately before the enactment of this act."

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

49  
50 **REQUIRE LOCAL GOVERNMENTS TO ISSUE TEMPORARY CERTIFICATE OF**  
51 **COMPLIANCE/OCCUPANCY TO HEALTH SERVICE FACILITIES**

1           **SECTION 2.7.(a)** Notwithstanding G.S. 136-18(5), 136-18(29), 136-93,  
2 160D-1116, and any other provision of law to the contrary, a local government shall issue a  
3 temporary certificate of compliance and temporary certificate of occupancy to a health service  
4 facility (facility) allowing for the full operational use of the facility in the following  
5 circumstances:

- 6           (1) The facility building is currently under construction, and the scheduled  
7 construction completion date for the building will occur before rescission of  
8 the COVID-19 emergency declaration.
- 9           (2) Subject to subdivision (3) of this section, the facility building complies with  
10 all applicable State and local laws and the terms of the building permit, and  
11 the facility building may be safely occupied.
- 12           (3) The only portions of the construction project remaining to be completed are  
13 off-site improvements to public roadways that were identified by the Traffic  
14 Impact Analysis for the project and required as conditions for the approval of  
15 the permit, and the facility agrees to (i) complete the roadway improvements  
16 within 18 months of the date of the certificate of occupancy and (ii) post a  
17 corresponding performance bond or letter of credit. The performance bond  
18 completion date and letter of credit expiration date, and all other terms of both  
19 instruments, shall remain in force notwithstanding the rescission of the  
20 COVID-19 emergency declaration prior to the completion of the roadway  
21 improvements.

22           For purposes of this section, the term "local government" has the same meaning as in  
23 G.S. 160D-1116, the term "health service facility" has the same meaning as in G.S. 131E-176,  
24 and the term "COVID-19 emergency declaration" means Executive Order No. 116 issued March  
25 10, 2020.

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

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

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

32           "...

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

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

- 42           (1) The State Health Director acting pursuant to this section.
- 43           (2) Any pharmacist or qualified individual under State or federal law who  
44 administers a COVID-19 immunization or vaccine pursuant to a statewide  
45 standing order issued under this section.

46           ...."

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

## 49 **PHARMACISTS/LONG-ACTING INJECTABLES**

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



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

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

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

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

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

13           ...

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

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

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

## 20 NOTARY/VIDEO WITNESS EXTENSIONS

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

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

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

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

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

## 29 VIRTUAL EDUCATION REQUIREMENTS/REAL ESTATE APPRAISERS

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

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

## 36 TEMPORARY SUSPENSION OF DHHS INSPECTIONS FOR CERTAIN LICENSED 37 FACILITIES

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

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

## 43 HEALTH CARE PROVIDER LIABILITY CLARIFICATION

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

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

49       **SECTION 2.13.(b)** This section is effective when it becomes law and applies  
50 retroactively to acts and omissions occurring on or after May 4, 2020.

**VACCINE VOLUNTEERS**

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

"(7) Health care provider. –

...

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

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

**ADULT CARE HOMES LICENSURE CLARIFICATION**

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

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

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

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

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

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

a. A common owner.

b. A common principal.

c. A common licensee.

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

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

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

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

- 1 (1) Was the owner, principal, or affiliate of a licensable facility under this  
2 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
3 and was responsible for the operation of the facility that had its license  
4 revoked until five years after the date the revocation became effective.
- 5 (1a) Was the owner, principal, or affiliate of a licensable facility under this  
6 Chapter, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
7 and was responsible for the operation of the facility that had its license  
8 summarily suspended until five years after the date the suspension was lifted  
9 or terminated.
- 10 (2) Is the owner, principal, or affiliate of an adult care home and is responsible  
11 for the operation of the facility that was assessed a penalty for a Type A or  
12 Type B violation until the earlier of one year from the date the penalty was  
13 assessed or until the home has substantially complied with the correction plan  
14 established pursuant to G.S. 131D-34 and substantial compliance has been  
15 certified by the Department.
- 16 (3) Is the owner, principal, or affiliate of an adult care home and is responsible  
17 for the operation of the facility that had its license downgraded to provisional  
18 status or had its admissions suspended as a result of violations under this  
19 Article, Chapter 122C, or Article 7 of Chapter 110 of the General Statutes  
20 until ~~six months from~~ the date of restoration from provisional to full licensure,  
21 termination of the provisional license, or lifting or termination of the  
22 suspension of admissions, as applicable. A provisional license or suspension  
23 of admissions for which an appeal is pending is exempt from consideration  
24 under this subdivision.
- 25 (4) Repealed by Session Laws 2017-184, s. 1, effective October 1, 2017.
- 26 (5) Is or was the owner, principal, or affiliate of an adult care home and is  
27 responsible for the operation of the facility where outstanding fees, fines, and  
28 penalties imposed by the State against the facility have not been paid. Fines  
29 and penalties for which an appeal is pending are exempt from consideration  
30 under this subdivision.

31 An applicant for new licensure may appeal a denial of certification of substantial compliance  
32 under subdivision (2) of this subsection by filing with the Department a request for review by the  
33 Secretary within 10 days ~~of~~ after the date of denial of the certification. Within 10 days ~~of~~ after  
34 receipt of the request for review, the Secretary shall issue to the applicant a written determination  
35 that either denies certification of substantial compliance or certifies substantial compliance. The  
36 decision of the Secretary is final.

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

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

48 (f) The Department shall not issue a new license for a change of ownership of an adult  
49 care home if outstanding fees, fines, and penalties imposed by the State against the home have  
50 not been paid. Fines and penalties for which an appeal is pending are exempt from consideration.  
51 The consent of the current licensee is not a required prerequisite to a change of ownership of an

1 adult care home if the current licensee has (i) been removed from the facility pursuant to Articles  
2 3 and 7 of Chapter 42 of the General Statutes or (ii) abandoned the facility, as determined by the  
3 Department's reasonable discretion.

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

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

12 **SECTION 2.15.(c)** This section applies to (i) applications for new licenses submitted  
13 to the Department of Health and Human Services, Division of Health Service Regulation  
14 (DHSR), on or after the effective date of this section, (ii) applications for the renewal of existing  
15 licenses submitted to the DHSR on or after the effective date of this section, and (iii) licenses  
16 downgraded by DHSR within the six-month period preceding the effective date of this section.  
17

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

19 **SECTION 2.16.** Section 2.6(b) of S.L. 2020-80 is repealed.  
20

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

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

23 "**SECTION 3D.5.(e)** This section is effective when it becomes law and expires ~~December~~  
24 ~~31, 2021.~~December 31, 2022."  
25

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

27 **SECTION 2.18.(a)** Notwithstanding the provisions of subsection (h) of G.S. 90-91,  
28 subsection (d) of G.S. 90-93, subsection (a) of G.S. 90-106.1, G.S. 90-113.52, or any other  
29 provision of law to the contrary, a pharmacist may dispense the following controlled substances  
30 to individuals who present (i) a valid prescription for the controlled substance, if one is required  
31 under current law, and (ii) a North Carolina drivers license or identification card that expired  
32 while Executive Order No. 116 (2020), Declaration of a State of Emergency to Coordinate  
33 Response and Protective Actions to Prevent the Spread of COVID-19, remains in effect:

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

40 **SECTION 2.18.(b)** This section is effective when it becomes law and expires six  
41 months after the date the Governor signs an executive order rescinding said Executive Order No.  
42 116 (2020), Declaration of a State of Emergency to Coordinate Response and Protective Actions  
43 to Prevent the Spread of COVID-19, or December 31, 2021, whichever is earlier.  
44

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

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

48 "Article 21.

49 "Tourism Development Authorities.

### 50 "§ 153A-406. 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 board of county commissioners to receive and expend the net proceeds  
 10          of an occupancy tax.

11 **§153A-407. 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 County. – A tourism development authority may not  
 16           obligate the State or the county that established the authority to repay a PPP loan and has no  
 17           power to pledge the credit of the State or the county that established the authority.

18           (c)     Notice. – A tourism development authority shall provide written notice to the board  
 19           of commissioners within 30 days of its acceptance of a PPP loan. The notice shall include the  
 20           loan amount, 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.(b)** Chapter 160A of the General Statutes is amended by adding a  
 27 new Article to read:

28   "Article 31.

29   "Tourism Development Authorities.

30 **§ 160A-800. Definitions.**

31           The following definitions apply in this Article:

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

42 **§160A-801. Borrowing authority for PPP loans.**

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

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

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

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

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

6       **SECTION 2.19.(c)** This section is effective when it becomes law.  
7

## 8 **PREPAID HEALTH PLAN ACCESS TO NC IMMUNIZATION REGISTRY** 9 **INFORMATION**

10       **SECTION 2.20.** Notwithstanding any provision of Chapter 130A of the General  
11 Statutes or any other provision of law to the contrary, the Department of Health and Human  
12 Services shall, by July 1, 2021, grant each prepaid health plan, as defined in G.S. 108D-1, access  
13 to client-specific immunization information contained within the secure, web-based North  
14 Carolina Immunization Registry.  
15

## 16 **CLARIFY DEVELOPMENT APPROVAL EXTENSION**

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

### 18 **"REEXTEND CERTAIN LOCAL GOVERNMENT APPROVALS AFFECTING THE** 19 **DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE**

20       ...

21       **"SECTION 3.21.(b)** For any development approval that is current and valid at any point  
22 during the period beginning September 2, 2020, and ending 30 days after Executive Order No.  
23 116 is rescinded, the expiration date of the period of the development approval and any associated  
24 vested right under G.S. 160D-108 or G.S. 160D-108.1 is automatically extended ~~120~~ 150 days  
25 from the ~~expiration date.~~ date the Executive Order is rescinded.

26       ...

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

31       **SECTION 2.21.(b)** This section is effective when it becomes law and applies  
32 retroactively to vested rights existing on and after September 4, 2020.  
33

## 34 **EXPAND ACCESS TO EMERGENCY MEAT PROCESSING GRANTS**

35       **SECTION 2.22.** Section 4.2A of S.L. 2020-4, as enacted by Section 1.1(e) of S.L.  
36 2020-80 and amended by Section 1.4A of S.L. 2020-97, reads as rewritten:

37       **"SECTION 4.2A.(a)** Findings. – The General Assembly finds that the COVID-19  
38 emergency has resulted in serious and substantial impacts on the food supply chain. In particular,  
39 small livestock producers in the State have found that bottlenecks and lack of capacity among  
40 the small and independent meat processors and producers of further processed meat products  
41 who serve small livestock producers due to COVID-19 related slowdowns and capacity  
42 reductions have had a substantial negative impact on their ability to have their animals  
43 slaughtered and processed. Seafood processors lack capacity to meet increased and altered  
44 consumer demand for seafood products due to COVID-19 related changes in the market for  
45 seafood and seafood products. The General Assembly further finds that financial assistance to  
46 these processors for physical expansion and facility improvements, for workforce development,  
47 and for the creation of additional processing capacity is necessary to reduce disruptions in the  
48 supply chain for fresh meat and seafood and to help small producers get their product to market.  
49       ...

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

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

- 5 a. Capacity enhancement grant. – This grant is available to an eligible  
6 meat or seafood processing facility that is experiencing slowdowns in  
7 production or has limited capacity to accommodate increased demand  
8 for meat processing due to the COVID-19 pandemic. A capacity  
9 enhancement grant may be used for expansion of an existing eligible  
10 facility and for fixtures or equipment at an existing eligible facility that  
11 will expand animal throughput, processing capacity, the amount or  
12 type of products produced, or processing speed.
- 13 b. Workforce development grant. – This grant is available to an eligible  
14 meat processing facility that is experiencing slowdowns in production  
15 or has limited capacity to accommodate increased demand for meat  
16 processing due to workforce limitations or reductions due to the  
17 COVID-19 pandemic. A workforce development grant may be used  
18 for educational and workforce training provided either by the facility  
19 or by an institution of higher education.
- 20 c. Planning grant. – This grant is available to a nonprofit entity or  
21 institution of higher education to complete feasibility or siting studies  
22 for a new eligible meat processing facility.

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

- 25 a. ~~a~~–A food processing facility that meets both of the following  
26 requirements:
- 27 a.1. The plant contracts with independent livestock producers or  
28 seafood harvesters to process animals or seafood.
- 29 b.2. The United States Department of Agriculture (USDA)  
30 contracts with Department inspectors to conduct federal  
31 inspection activities authorized by the Talmadge-Aiken Act of  
32 1962 (7 U.S.C. § 1633) at the plant, the plant is otherwise  
33 regulated by the USDA or the FDA, or the plant is a  
34 State-inspected facility.
- 35 b. A facility producing further processed meat products for which the  
36 United States Department of Agriculture (USDA) contracts with  
37 Department inspectors to conduct federal inspection activities  
38 authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at  
39 the plant, or which is a State-inspected facility, or which is a USDA  
40 inspected processor of shelf-stable meat or meat products.

41 (3) The Department may prioritize projects that will create additional jobs.

42 (4) Recipients shall provide matching funds for the grant in the amount of one  
43 dollar (\$1.00) from nongrant sources for every two dollars (\$2.00) provided  
44 by the grant.

45 ...."

### 46 PART III. CORONAVIRUS RELIEF FUND REALLOCATIONS

47 **SECTION 3.1.** Section 3.3 of S.L. 2020-4, as amended by Section 3 of S.L. 2020-32,  
48 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  
49 4.9(a) of S.L. 2020-91, and Section 1.2 of S.L. 2020-97, reads as rewritten:  
50

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

3 ...  
4 (45) ~~\$75,000,000~~ \$83,000,000 to OSBM for Golden LEAF to provide loans in  
5 accordance with Section 4.2 of this act.

6 ...  
7 (47) ~~\$20,250,000~~ \$26,250,000 to the Department of Agriculture and Consumer  
8 Services to be used to provide support for meat processing facilities and for  
9 seafood processing facilities in accordance with Section 4.2A of this act.

10 ...  
11 (52) ~~\$120,000,000~~ \$80,000,000 to the Department of Public Safety, Division of  
12 Emergency Management to be used as the State match for any Federal  
13 Emergency Management Agency public assistance funds provided in  
14 response to the COVID-19 pandemic.

15 ...  
16 (94) ~~\$14,300,000~~ \$5,300,000 to OSBM for the ~~PPE NC Initiative, a partnership~~  
17 ~~between the Manufacturing Solutions Center (MSC) at Catawba Valley~~  
18 ~~Community College, Gaston College's Textile Technology Center, the City of~~  
19 ~~Conover, Gaston County, and the private sector to create a launch pad for~~  
20 ~~prototyping and testing reusable personal protective equipment (PPE)~~  
21 ~~products for entrepreneurs and existing manufacturers in response to the~~  
22 ~~COVID-19 pandemic. The funds shall be allocated by OSBM as follows:~~

23 a. ~~\$9,000,000 as a grant to the City of Conover for the following~~  
24 ~~purposes:~~

25 1. ~~\$7,250,000 shall be used to construct a purpose-built facility to~~  
26 ~~house testing labs, rapid prototyping, and a textile sourcing~~  
27 ~~library.~~

28 2. ~~\$1,250,000 shall be used for a clean room upfit for MSC~~  
29 ~~facilities.~~

30 3. ~~\$500,000 shall be used for equipment, materials, and logistics~~  
31 ~~for a rapid prototyping pilot line to create product and to train~~  
32 ~~a workforce for United States manufacturers of PPE.~~

33 b. ~~\$5,300,000 as a grant to Gaston County to construct an Incubator and~~  
34 ~~Extrusion Center for Advanced Fibers for Gaston College's Textile~~  
35 ~~Technology Center.~~

36 ...  
37 (116) \$6,000,000 to the Department of Agriculture and Consumer Services to  
38 distribute equally among each of the food banks in this State. The food banks  
39 are encouraged to use the funds allocated in this subdivision to purchase food  
40 from North Carolina-based farmers and vendors.

41 (117) \$8,000,000 to the Department of Administration for the ReTOOLNC grant  
42 program to provide additional funds to assist State-certified, minority-owned,  
43 and women-owned businesses in their recovery from the economic impacts of  
44 the COVID-19 pandemic.

45 (118) \$3,000,000 to the Department of Commerce for a North Carolina nonprofit  
46 corporation with which the Department contracts pursuant to  
47 G.S. 143B-431.01(b) as a stimulus investment in Visit North Carolina's  
48 marketing budget to be used to market North Carolina as a business and  
49 tourism destination.

50 (119) \$1,000,000 to the Department of Agriculture and Consumer Services to  
51 market North Carolina's agricultural products and State-owned attractions.



1           (120) \$2,000,000 to the Department of Agriculture and Consumer Services for the  
2           Farm Worker Quarantine Program (Program). The Program shall provide  
3           funding to reimburse eligible expenses for eligible farm workers required to  
4           quarantine apart from family members or coworkers following a positive test  
5           for COVID-19. For purposes of this subdivision, an "eligible expense" is the  
6           cost of meals and lodging for the duration of the quarantine period, not to  
7           exceed the per diem rates for federal employee travel determined by the  
8           United States General Services Administration, and an "eligible farm worker"  
9           is a worker who (i) is an alien, as described by 8 U.S.C. §  
10           1101(a)(15)(H)(ii)(a), and (ii) is performing agricultural labor or services on  
11           a farm in the State."

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

- 16           (1) \$7,250,000 shall be used to construct a purpose-built facility to house testing  
17           labs, rapid prototyping, and a textile sourcing library.
- 18           (2) \$1,250,000 shall be used for a clean room upfit for MSC facilities.
- 19           (3) \$500,000 shall be used for equipment, materials, and logistics for a rapid  
20           prototyping pilot line to create product and to train a workforce for United  
21           States manufacturers of PPE.

22           **SECTION 3.2.(b)** The funds appropriated in this section shall not revert until June  
23 30, 2022.

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

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

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

36           ...."

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

39           "...

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

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

49           **"SECTION 8.(d)** Creation of Reserve. – There is created in the General Fund a Statewide  
50 Reserve for Appropriations (Reserve) (Budget Code: 190XX). The Reserve shall have a  
51 beginning negative appropriation balance of six hundred ~~eighty-four-ninety-nine~~ million four

1 hundred thousand dollars ~~(\$699,400,000)~~. ~~(\$684,400,000)~~. By June 30, 2021, the Reserve shall  
2 have a balance of zero dollars (\$0.00).

3 ...."

4 **SECTION 3.5.(a)** Section 3.1 of S.L. 2020-4, as amended by Section 1 of S.L.  
5 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  
6 S.L. 2021-1, reads as rewritten:

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

15 **SECTION 3.5.(b)** Section 3.2 of S.L. 2020-4, as amended by Section 2 of S.L.  
16 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  
17 S.L. 2021-1, reads as rewritten:

18 "**SECTION 3.2.** Appropriation of Funds from Relief Fund to OSBM. – There is appropriated  
19 from the Fund to OSBM the sum of two billion six hundred ~~twenty-four-nine~~ million three  
20 hundred ninety thousand six hundred forty-six dollars ~~(\$2,624,390,646)~~ ~~(\$2,609,390,646)~~ in  
21 nonrecurring funds for the 2019-2020 fiscal year to be allocated and used as provided in Section  
22 3.3 of this act. The funds appropriated in this section shall not revert at the end of the 2019-2020  
23 fiscal year. Notwithstanding any provision of law to the contrary in this act or any other act  
24 appropriating funds from the Fund, funds appropriated from the Fund shall (i) remain available  
25 to expend until the deadline established by applicable federal law or guidance and (ii) be returned  
26 in accordance with that applicable federal law or guidance if unexpended by that deadline."

#### 27 **PART IV. EFFECTIVE DATE**

28 **SECTION 4.1.** Except as otherwise provided, this act is effective when it becomes  
29 law.  
30