GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2022-6
HOUSE BILL 243

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2021 AND TO OTHER LEGISLATION.

The General Assembly of North Carolina enacts:

PART I. GENERAL PROVISIONS

BASE BUDGET CORRECTION/VETERANS HOME TRUST FUND

SECTION 1.1. Notwithstanding any provision of S.L. 2021-180, as amended by S.L. 2021-189, or the Committee Report described in Section 43.2 of S.L. 2021-180, the base budget for budget code 63050 is as follows:

	FY 2021-22	**FY 2022-23**
Recommended Base Budget		
Requirements	$48,336,894	$48,336,894
Receipts	$47,723,019	$47,723,019
Net Appropriation from (Increase to) Fund Balance	($613,875)	($613,875).

VARIOUS DISASTER RELIEF PROJECT CLARIFICATIONS

SECTION 1.2. Section 5.9(a)(30) of S.L. 2021-180 reads as rewritten:

"(30) $32,342,000 to the Department of Public Safety to provide directed grants to the following entities in the following amounts:

…

f. Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, $2,000,000 to ~~Carteret County~~ the Town of Morehead City for ~~the~~ restoration, stabilization, and erosion control projects for Sugarloaf ~~Island Mitigation Project.~~Island.

…

k. Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, $1,000,000 to the North Carolina ~~Association of~~ Resource Conservation and Development ~~Councils~~ Association for flood mitigation projects.

…."

TROPICAL STORM FRED DAM REPAIR CHANGES

SECTION 1.3. Section 5.9A(c) of S.L. 2021-180 reads as rewritten:

"**SECTION 5.9A.(c)** Allocations. – Of the funds appropriated in Section 2.2(j) of this act for disaster relief, recovery, mitigation, and resiliency, the sum of one hundred twenty-four million four hundred thousand dollars ($124,400,000) shall be allocated for relief and recovery efforts from Tropical Storm Fred as follows:

…

(4) Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, $500,000 to the Wildlife Resources Commission to repair ~~dams, spillways, and related structures~~ hatcheries damaged as a result of Tropical Storm Fred."

REVISED TECHNICAL ADJUSTMENT/VOLUNTEER SAFETY WORKERS' COMPENSATION FUND

SECTION 1.4. Notwithstanding any provision of S.L. 2021-180, as amended by S.L. 2021-189, or the Committee Report described in Section 43.2 of S.L. 2021-180, the temporary reduction of receipts in the Volunteer Safety Workers' Compensation Fund is fourteen million five hundred ninety-nine thousand two hundred thirty-nine dollars ($14,599,239) in nonrecurring funds for the 2022-2023 fiscal year only.

PART II. EDUCATION

SPECIAL EDUCATION DUE PROCESS HEARINGS

SECTION 2.2.(a) Notwithstanding the 30-day deadline established by G.S. 115C-109.6(h2), as enacted by subsection (b) of Section 7.25 of S.L. 2021-180, a party may institute a civil action in State court within 30 days of the effective date of this section if the party meets both of the following criteria:

(1) The party had appealed findings and a decision before a Review Officer pursuant to G.S. 115C-109.9, as it existed on November 17, 2021.

(2) The appeal of the party meets one of the following:

a. The appeal was pending before the Review Officer on November 18, 2021.

b. The Review Officer issued a decision on the appeal on or after October 19, 2021.

SECTION 2.2.(b) As authorized by 20 U.S.C. § 1415(i)(2)(B), a party may institute a civil action in federal court within 90 days of the effective date of this section if the party meets both of the following criteria:

(1) The party had appealed findings and a decision before a Review Officer pursuant to G.S. 115C-109.9, as it existed on November 17, 2021.

(2) The appeal of the party meets one of the following:

a. The appeal was pending before the Review Officer on November 18, 2021.

b. The Review Officer issued a decision on the appeal on or after August 20, 2021.

SECTION 2.2.(c) This section is effective when it becomes law.

ADD FINAL REPORT ON MISSING STUDENT IDENTIFICATION/ESSER ALLOCATION

SECTION 2.3. Section 3.5(a)(13) of S.L. 2021-25, as enacted by Section 7.27(a) of S.L. 2021-180, reads as rewritten:

"(13) $7,265,134 to establish a grant program, in response to the COVID-19 pandemic, to allocate funds to public school units to identify and locate missing students by contracting with either (i) one or more third-party entities to provide technology to assist with this purpose or (ii) outside personnel. ~~No later than March 15, 2022, the~~ The Department shall submit an interim report no later than March 15, 2022, and a final report no later than November 15, 2022, to the Joint Legislative Education Oversight Committee, the Senate

Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal Research Division on the following information:

a. All persons and entities contracted with by public school units receiving funds to identify and locate missing students pursuant to this subdivision and the amounts provided to each person or entity.

b. Outcomes resulting from the program, including the number of missing students identified and located in each public school unit."

CLARIFY SUPPORT SERVICES EXPANDED BY COMMUNITIES IN SCHOOLS/ESSER ALLOCATION

SECTION 2.4. Section 3.5(a)(20) of S.L. 2021-25, as enacted by Section 7.27(a) of S.L. 2021-180, reads as rewritten:

"(20) $3,900,000 to be allocated to Communities in Schools of North Carolina, Inc., to expand ~~services and provide for the extension of nine-month contracts for its employees for the purpose of providing assistance and enrichment activities over the summers for students in kindergarten through grade 12 experiencing learning loss and negative impacts from COVID-19.~~student support services for students in kindergarten through grade 12 who have experienced learning loss and negative impacts due to the COVID-19 pandemic. Support services include, but are not limited to, expanded services during the regular academic year and the extension of contracts for employees to provide assistance and enrichment activities over the summers."

DUAL ENROLLMENT/OPPORTUNITY STUDY

SECTION 2.6. Section 7.85 of S.L. 2021-180 reads as rewritten:

"**SECTION 7.85.** The State Board of Education shall partner with a third-party entity to conduct a study examining the factors impacting all students' ability to complete high school courses leading to college credit, an associate degree, or a career-ready credential, including an examination of opportunity, resources, fees, and personnel. The study shall also include an examination of all dual enrollment courses offered as part of the Career and College Promise Program that satisfy basic high school graduation requirements to ensure that the content and skills taught in those courses is aligned to the content and skills outlined in the Standard Course of Study for the requisite courses that meet graduation requirements. The study shall identify if dual enrollment courses are or are not aligned with the Standard Course of Study and, if not aligned, what content or skills are not aligned. The State Board of Education shall report on the findings of this study to the Joint Legislative Education Oversight Committee, the Fiscal Research Division, and the Office of State Budget and Management by ~~March 15, 2022.~~July 15, 2022."

EXTEND DEADLINE FOR STUDENT TRANSPORTATION REPORT ON MEDICAID REIMBURSEMENT

SECTION 2.7. Section 7.70(c) of S.L. 2021-180 reads as rewritten:

"**SECTION 7.70.(c)** Proposal to Add Medicaid Coverage for Transportation Provided by Public School Units. – No later than ~~March 1,~~ May 1, 2022, the Department of Health and Human Services, Division of Health Benefits, and the Department of Public Instruction shall jointly submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Joint Legislative Education Oversight Committee with a proposal for adding the Medicaid coverage for school-based transportation services described in the November 1, 2016, report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice entitled

"Medicaid Coverage for School-Based Health Services" to the fullest extent allowed by federal Medicaid law and regulations. The proposal shall include all of the following:

(1) A detailed description of the coverage to be added.
(2) A detailed description of the required documentation for reimbursement.
(3) An updated analysis of the fiscal impact both to the Department of Health and Human Services and to all public school units of adding the coverage.
(4) The identification of any State appropriations needed to implement the coverage.
(5) A recommended time frame for implementing the coverage.
(6) Proposed language for any legislative changes needed to implement the coverage."

MODIFY CERTAIN ELIGIBILITY REQUIREMENTS FOR PATRIOT STAR FAMILY SCHOLARSHIP PROGRAMS

SECTION 2.8.(a) Section 8.3(c) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.3.(c)** Definitions. – For the purposes of this section, the following definitions apply:

…

(2) Eligible child or eligible children. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, provided that if a child is claimed as a dependent by the child's parent, residency may be established based on a parent meeting sub-sub-subdivision 4. of sub-subdivision a. of this subdivision, (iii) who has complied with the requirements of the Selective Service System, if applicable, and (iv) whose parent is a veteran or a currently serving member of the Armed Forces that meets the following:

…

3. Is a veteran of the Armed Forces who ~~incurred~~ meets both of the following criteria:
   I. Incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of ~~war or~~ war, national ~~emergency and is~~ emergency, or training in preparation for future conflicts, and the injuries, wounds, or illness are a direct result of service in the line of duty.
   II. Is receiving compensation ~~for a wartime service-connected disability~~ of at least fifty percent (50%) as rated by the U.S. Department of Veterans ~~Affairs.~~Affairs for a disability connected to the injuries, wounds, or illness identified in accordance with sub-sub-sub-subdivision I. of this sub-sub-subdivision.
4. Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war, national emergency, or training in preparation for future ~~conflicts and is~~ conflicts, and the injuries, wounds, or illness are a direct result of service in the line of duty. The parent's traumatic wounds, injury, or major illness must be documented by the member's Unit Commander.

(3) Eligible disabled veteran. – Any person who is (i) a ~~veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs,~~ parent of an eligible child pursuant to sub-sub-subdivision 3. of sub-subdivision b. of subdivision (2) of this subsection, (ii) a resident of North Carolina when scholarship documentation is completed, and (iii) is attending or has been accepted to enroll in an eligible postsecondary institution.

…."

SECTION 2.8.(b) Section 8.19(c) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.19.(c)** Definitions. – For the purposes of this section, the following definitions apply:

…

(2) Eligible child or eligible children. – Any person (i) who is a legal resident of North Carolina when scholarship documentation is completed, provided that if a child is claimed as a dependent by the child's parent, residency may be established based on a parent meeting sub-sub-subdivision 4. of sub-subdivision a. of this subdivision and (ii) whose parent is a veteran or a currently serving member of the Armed Forces that meets the following:

…

3. Is a veteran of the Armed Forces who ~~incurred~~ meets both of the following criteria:

I. Incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war, national emergency, or training in preparation for future ~~conflicts and is~~ conflicts, and the injuries, wounds, or illness are a direct result of service in the line of ~~duty and is~~ duty.

II. Is receiving compensation ~~for a wartime service-connected disability~~ of at least fifty percent (50%) as rated by the U.S. Department of Veterans ~~Affairs.~~Affairs for a disability connected to the injuries, wounds, or illness identified in accordance with sub-sub-sub-subdivision I. of this sub-sub-subdivision.

4. Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of ~~war or~~ war, national ~~emergency.~~ emergency, or training in preparation for future conflicts, and the injuries, wounds, or illness are a direct result of service in the line of duty. The parent's traumatic wounds, injury, or major illness must be documented by the member's Unit Commander.

(3) Eligible disabled veteran. – Any person who (i) is a ~~veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs~~ parent of an eligible child pursuant to sub-sub-subdivision 3.

of sub-subdivision b. of subdivision (2) of this subsection and (ii) is a resident of North Carolina at the time of scholarship documentation completion.

…."

SECTION 2.8.(c) This section is effective July 1, 2021, and applies to applications for scholarship awards submitted on or after that date.

REVISE DEADLINES FOR REPORT ON SCIENCE OF READING EPP COURSEWORK IMPLEMENTATION

SECTION 2.9. Section 8.4(b) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.4.(b)** The Board of Governors shall submit an interim report by ~~March 15, 2022,~~ June 30, 2022, and a final report by ~~June 15, 2022,~~ January 15, 2023, to the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, and the Joint Legislative Education Oversight Committee on the progress of implementation of required changes and the results of the overall evaluation from the outside consultant required under subsection (a) of this section. The interim report submitted by ~~February 15, 2022,~~ June 30, 2022, shall also include the baseline of current coursework in literacy training and intervention strategies and practices at EPPs."

EXTEND DEADLINE FOR COLLABORATORY TO PROVIDE RESULTS OF STUDY OF COASTAL AND MARINE FISHERIES

SECTION 2.10. Section 8.11(a) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.11.(a)** In advance of the twenty-fifth anniversary of North Carolina's Fisheries Reform Act of 1997 and the fiftieth anniversary of North Carolina's Coastal Area Management Act, the North Carolina Collaboratory (Collaboratory) shall conduct a study on the overall status of the coastal and marine fisheries regulated by the State. The study shall focus on the following regulated species, including the health and extent of the habitats required by these species:

(1) Bay Scallop.
(2) Blue Crab.
(3) Eastern Oyster.
(4) Estuarine Striped Bass.
(5) Hard Clam.
(6) Kingfishes.
(7) Red Drum.
(8) River Herring.
(9) Sheepshead.
(10) Shrimp.
(11) Southern Flounder.
(12) Spotted Seatrout.
(13) Striped Mullet.

The Collaboratory shall analyze trends through time spanning the last few decades or longer to assess and develop policy recommendations to better manage the overall health and viability of the State's fisheries and fisheries' habitats. The Department of Environmental Quality, the Wildlife Resources Commission, other agencies of the State, and units of local government shall provide any assistance requested by the Collaboratory to acquire and compile data and complete the study required by this section. The Collaboratory shall provide the results of this study to the Environmental Review Commission no later than June 30, ~~2023.~~2025."

CLARIFY TUITION RATES FOR KITTY HAWK PUBLIC-PRIVATE PARTNERSHIP PROJECT

SECTION 2.11. G.S. 116-143.11 is amended by adding a new subsection to read:

"(c1) This section does not apply to the rate of tuition charged for digital learning student credit hours provided with the support of a nonprofit corporation established by The University of North Carolina System Office pursuant to G.S. 116-30.20."

CLARIFY REPORTING REQUIREMENT FOR HIGHLY TREATED WASTEWATER PILOT

SECTION 2.12. Section 8.26(f) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.26.(f)** The Commission for Public Health and the Department of Health and Human Services shall report quarterly on their implementation of subsection ~~(d)~~ (e) of this section beginning no later than May 1, 2022, and shall continue quarterly reporting until rulemaking activities required by this section have been completed."

CLARIFY DEFINITION OF ELIGIBLE STUDENT IN EQUITY IN OPPORTUNITY ACT

SECTION 2.13.(a) G.S. 115C-562.1(3), as amended by Section 8A.3(c) of S.L. 2021-180, reads as rewritten:

"(3) Eligible students. – A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:

a. Meets one of the following criteria:

1. Was a ~~full-time~~ student (i) assigned to and attending a public school full time pursuant to G.S. 115C-366 or (ii) enrolled full time in a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the spring semester prior to the school year for which the student is applying.

…."

SECTION 2.13.(b) This section applies beginning with applications for scholarship funds for the 2022-2023 school year.

REVISE AND CLARIFY PESA SCHOLARSHIP AWARDS FOR ELIGIBLE PART-TIME STUDENTS WITH CERTAIN DISABILITIES

SECTION 2.14.(a) G.S. 115C-592, as amended by Section 8A.3(*l*) of S.L. 2021-180, reads as rewritten:

"**§ 115C-592. Award of scholarship funds for a personal education student account.**

(a) Application Selection. – The Authority shall make available no later than February 1 of each year applications to eligible students for the award of scholarship funds for a personal education student account to be used for qualifying education expenses to attend a nonpublic school. Information about scholarship funds and the application process shall be made available on the Authority's ~~Web site.~~ website. Applications shall be submitted electronically. The Authority shall award scholarships according to the following criteria for applications received by March 1 of each year:

(1) First priority shall be given to eligible students who were awarded scholarship funds for a PESA during the previous school year.

(2) After funds have been awarded to prior recipients as provided in subdivision (1) of this subsection, any remaining funds shall be used to award scholarship funds for a PESA for all other eligible students.

(b) Scholarship Awards. – Except ~~for eligible students who qualify for scholarship funds pursuant to subsection (b1) of this section,~~ as provided in subsection (b1) of this section, scholarships shall be awarded each year for an amount not to exceed (i) nine thousand dollars ($9,000) per eligible student for the school year for which the application is received or (ii) for

eligible part-time students, four thousand five hundred dollars ($4,500) per eligible student for the school year for which the application is received. Any funds remaining in an electronic account provided under subsection (b2) of this section at the end of a school year for eligible students who qualify only under this subsection shall be returned to the Authority.

(b1) Scholarship Awards for Students with Certain Disabilities. – ~~An eligible~~ A student who has one or more of the following disabilities listed as a primary or secondary disability on the student's eligibility determination form submitted as required by subsection (e) of this section at the time of application for scholarship funds may be awarded scholarship funds for each school year in an amount of up to (i) seventeen thousand dollars ($17,000) ~~for each school year only if the student has been determined to have one or more of the following disabilities as a primary or secondary disability at the time of application for scholarship funds:~~for an eligible student or (ii) eight thousand five hundred dollars ($8,500) for an eligible part-time student:

(1) Autism.
(2) Hearing impairment.
(3) Moderate or severe intellectual or developmental disability.
(4) Multiple, permanent orthopedic impairments.
(5) Visual impairment.

For eligible students who qualify for scholarship funds under this subsection, no more than four thousand five hundred dollars ($4,500) of funds remaining in an electronic account at the end of a school year shall be carried forward until expended for each school year upon renewal of the account under subsection (b2) of this section. In no event shall the total amount of funds carried forward for an eligible student in a personal education student account exceed thirty thousand dollars ($30,000). Any funds remaining in the electronic account if an agreement is not renewed under G.S. 115C-595 shall be returned to the Authority.

…

(e) Establishment of Initial Eligibility. – An applicant ~~may~~ shall demonstrate for initial eligibility that the applicant is a child with a disability, as required by G.S. 115C-591(3)c., by having the child assessed by a local education agency and the local education agency determining the child to be a child with a disability with that outcome verified by the local education agency on ~~a~~ an eligibility determination form provided to the Authority."

SECTION 2.14.(b) This section is effective when it becomes law and applies beginning with applications for scholarship funds for the 2022-2023 school year.

DELAY TRANSFER OF POSITION FROM NCCU TO OSHR

SECTION 2.15. Section 8.22 of S.L. 2021-180 reads as rewritten:

"**SECTION 8.22.** As part of the certification of the budget for the ~~2021-2023 fiscal biennium,~~ 2022-2023 fiscal year, The University of North Carolina System Office, in consultation with the Office of State Budget and Management, shall transfer position number 6503074 and associated costs from North Carolina Central University to the Office of State Human Resources in accordance with the agency agreement approved on August 15, 2003, entitled "Operating Budget Revision – DLS-1311-Transfer Position to NCCU."

REVISE CERTAIN FUNDING CONDITIONS FOR NC COLLABORATORY

SECTION 2.16.(a) G.S. 116-255(c), as enacted by Section 8.8(b) of S.L. 2021-180, reads as rewritten:

"(c) Funding Conditions and Restrictions. – The following applies to funding received by the Collaboratory:

…

(3) For research or investigations that need to be carried out expeditiously in response to a project, opportunity, or a legislative mandate, the provisions of ~~Article 3~~ Articles 3, 3A, 3B, 3C, 3D, and 8C of Chapter 143 of the General

Statutes, G.S. 143-129, and G.S. 116-31.10 shall not apply to the Collaboratory for the purchase of apparatus, supplies, material, services, capital improvements, or equipment in projects addressing an emerging or immediate threat to public health, safety, or welfare. This subdivision shall apply only when at least fifty percent (50%) of the total funding for a project was provided by the Collaboratory. For each project that utilizes this exemption, the Collaboratory shall provide a justification in writing and make this document available on its website for the duration of the project.

…

(6) In coordination with a constituent institution of The University of North Carolina and subject to applicable statutes and policies regarding capital improvements, the Collaboratory may allocate funds for capital improvements on or in any property owned or operated by any constituent institution necessary to carry out research and development projects in which the Collaboratory has funded completely or in part."

SECTION 2.16.(b) This section is effective when it becomes law.

EXTEND DEADLINE FOR COLLABORATORY TO PROVIDE RESULTS OF STUDY OF A CYANOBACTERIAL ALGAL BLOOM TREATMENT

SECTION 2.17. Section 8.18(b) of S.L. 2021-180 reads as rewritten:

"**SECTION 8.18.(b)** The North Carolina Policy Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall evaluate the effectiveness and efficacy of an approved in situ treatment of the nutrient impaired surface waters in lakes and reservoirs on cyanobacterial harmful algal blooms under subsection (a) of this section. The Collaboratory shall report the results of the evaluation no later than April 1, ~~2023,~~ 2025, to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources; the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; and the Fiscal Research Division."

REVISE ALLOCATION OF FUNDS FOR ULTRAVIOLET-C STERILIZATION UNITS IN CERTAIN UNIVERSITIES

SECTION 2.18. Part VIII of S.L. 2021-180 is amended by adding a new section to read:

"**SECTION 8.28.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 43.2 of this act to the contrary, the two million dollars ($2,000,000) in nonrecurring funds appropriated from the State Fiscal Recovery Fund to the Board of Governors of The University of North Carolina for the 2021-2022 fiscal year to purchase ultraviolet-C sterilization units to be divided equally between Elizabeth City State University (ECSU), Fayetteville State University (FSU), and the University of North Carolina at Pembroke (UNCP) shall instead be allocated in the following amounts to those universities to purchase ultraviolet-C sterilization units to disinfect surfaces to prevent the spread of COVID-19:

(1) Six hundred sixty-six thousand six hundred sixty-six dollars ($666,666) to ECSU.

(2) Six hundred sixty-six thousand six hundred sixty-seven dollars ($666,667) to FSU.

(3) Six hundred sixty-six thousand six hundred sixty-seven dollars ($666,667) to UNCP."

REVISE ALLOCATION OF FUNDS FROM SOLDIER TO AGRICULTURE PROGRAM FOR CERTAIN PURPOSES

SECTION 2.19. Part VIII of S.L. 2021-180 is amended by adding a new section to read:

"**SECTION 8.29.** Notwithstanding any other provision of law or a provision of the Committee Report described in Section 43.2 of this act to the contrary, the one hundred fifty thousand dollars ($150,000) in nonrecurring funds appropriated to the Board of Governors of The University of North Carolina for the 2021-2022 fiscal year to be allocated to North Carolina State University at Raleigh (NC State) for the Soldier to Agriculture Program shall instead be allocated as follows:

(1) Fifty thousand dollars ($50,000) to NC State for the Soldier to Agriculture Program at the Agricultural Institute at NC State, which introduces veterans to career opportunities in agriculture.

(2) Fifty thousand dollars ($50,000) as a directed grant to The Veteran's Farm of North Carolina, Inc., to establish a military to agriculture internship program for farms, in conjunction with United States Army Installation Management Command, to provide farm industry experience to military personnel stationed at Fort Bragg.

(3) Fifty thousand dollars ($50,000) as a directed grant to Southern CC, Inc., to establish a military to agriculture internship program for farms to provide farm industry experience to military personnel stationed at Fort Bragg."

PART III. HEALTH AND HUMAN SERVICES

CORRECT REFERENCE TO FUNDING PURPOSES FOR COMPETITIVE GRANT/NONPROFIT ORGANIZATIONS

SECTION 3.1. Section 9B.9(a) of S.L. 2021-180 reads as rewritten:

"**SECTION 9B.9.(a)** Of the funds appropriated in this act to the Department of Health and Human Services, Division of Central Management and Support, for each year of the 2021-2023 fiscal biennium, the following amounts shall be used to allocate funds for nonprofit organizations:

…

(2) The sum of seven hundred thousand dollars ($700,000) in nonrecurring funds for each year of the 2021-2023 fiscal biennium to assist with funding for purposes described in ~~subdivision~~ subdivisions (e)(4) through (e)(6) of this section.

…."

PARTNERSHIP AND REPORTING REQUIREMENT FOR CERTAIN SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY FUNDS

SECTION 3.2. Part IX-F of S.L. 2021-180 is amended by adding a new section to read:

"**SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY FUNDS**

"**SECTION 9F.3B.** Of the funds appropriated in this act to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS), the sum of five million dollars ($5,000,000) in nonrecurring funds for the 2021-2022 fiscal year and the sum of five million dollars ($5,000,000) in nonrecurring funds for the 2022-2023 fiscal year shall be allocated as a directed grant to Hope Alive, Inc., a nonprofit organization. As a condition of the grants allocated in this section and under Part XL of this act, Hope Alive, Inc., shall partner with Robeson Health Care Corporation, a nonprofit corporation, and the Robeson Rural Communities Opioid Response Program (RCORP) consortium to utilize funds received for the prevention of, treatment of, and recovery from substance use disorder. In

addition to all reporting and auditing requirements imposed on these funds under this act and the relevant provisions of G.S. 143C-6-23, DMH/DD/SAS shall include the following information in the two reports required under Section 9B.1 of this act:

(1) Specific, detailed information on how the grant funds were expended.
(2) The programs or services developed as a result of the grant funds.
(3) The number of individuals served by the programs or services developed as a result of the grant funds.
(4) An analysis of the efficacy of the programs or services developed as a result of the grant funds.
(5) A plan for how these programs or services will continue beyond the 2021-2023 fiscal biennium."

ACCOUNT FOR SELF-DIRECTED AND CONSUMER-DIRECTED OPTIONS IN THE RATE INCREASE TO HCBS PROVIDERS

SECTION 3.3. Section 9D.15A(a) of S.L. 2021-180 reads as rewritten:

"**SECTION 9D.15A.(a)** It is the intent of the General Assembly to assist in increasing the hourly wages of direct care workers in this State to a minimum of fifteen dollars ($15.00) per hour. To that end, the Department of Health and Human Services, Division of Health Benefits (DHB), shall provide a rate increase to home and community-based providers that are either (i) enrolled in the Medicaid or NC Health Choice ~~program.~~program or (ii) approved financial managers or financial supports agencies billing for personal care service or waiver service hours provided by direct care workers that are hired by employers of record or managing employers under consumer-directed or self-directed options in accordance with any of the following Medicaid Clinical Coverage Policies:

(1) 8-P: North Carolina Innovations.
(2) 3K-1: Community Alternatives Program for Children (CAP/C).
(3) 3K-2: Community Alternatives Program for Disabled Adults (CAP/DA).

This rate increase shall be effective on the date approved by the Centers for Medicare and Medicaid Services. DHB shall determine (i) the amount of the rate increase under this section, (ii) the manner in which each provider is required to utilize that increased rate and to demonstrate compliance with those requirements, and (iii) the definition of direct care worker to be applied."

CLARIFY USE OF FUNDS FOR MENTAL HEALTH BEDS BY HARNETT HEALTH SYSTEMS

SECTION 3.4.(a) Section 9F.9(a)(2) of S.L. 2021-180 reads as rewritten:

"(2) ~~One~~ Notwithstanding the Committee Report described in Section 43.2 of this act, one million four hundred twenty thousand four hundred eighty-one dollars ($1,420,481) in nonrecurring funds shall be used to create a new behavioral health unit ~~in Betsy Johnson Hospital, a part of Harnett County Health Systems, in Dunn, North Carolina.~~ by Harnett Health System, Inc., a nonprofit corporation. A minimum of 12 of the beds in the new unit shall be reserved for children under the age of 18."

SECTION 3.4.(b) Notwithstanding the Committee Report described in Section 43.2 of S.L. 2021-180, the funds granted from the State Capital and Infrastructure Fund to Harnett Health System, Inc., a nonprofit corporation, shall be used to create a new behavioral health unit with a minimum of 12 of the beds that are reserved for children under the age of 18.

CORRECT REFERENCE TO NONPROFIT ORGANIZATION/USE OF CERTAIN ARPA SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT FUNDS

SECTION 3.5. Section 9L.2(d)(4) of S.L. 2021-180 reads as rewritten:

"(4) Fifty-three thousand seven hundred dollars ($53,700) to ~~AYA House, Inc., a nonprofit organization,~~ Bethpage United Presbyterian Church (USA), a nonprofit organization in Cabarrus County, for its AYA House program for substance abuse treatment and recovery services."

REDIRECT VETERANS HEALTH CARE PILOT PROGRAM FUNDING TO HEALTH-RELATED JOB TRAINING AND SUBSTANCE USE DISORDER TREATMENT SERVICES

SECTION 3.6.(a) Notwithstanding any provision of S.L. 2021-180, as amended by S.L. 2021-189, the Committee Report described in Section 43.2 of S.L. 2021-180, or any other provision of law to the contrary, the funds appropriated to the Department of Health and Human Services, Division of Central Management and Support, Office of Rural Health, in the sum of four hundred thousand dollars ($400,000) in nonrecurring funds for the 2021-2022 fiscal year and in the sum of three hundred fifty thousand dollars ($350,000) in nonrecurring funds for the 2022-2023 fiscal year to support the development and implementation of a two-year pilot program to provide health care services to veterans shall instead be used as follows:

(1) $25,000 for the 2021-2022 fiscal year shall be allocated as a directed grant to Dominion Health Care Foundation, a nonprofit organization. Dominion Health Care Foundation shall use these grant funds to cover the cost of job training programs and internships for individuals seeking careers as phlebotomy technicians, medical assistants, clinical laboratory assistants, or certified nursing assistants. The job training programs and internships funded by this subdivision shall target historically marginalized populations residing in Cumberland County who (i) are veterans, (ii) are unemployed due to COVID-19, or (iii) were formerly incarcerated.

(2) $375,000 for the 2021-2022 fiscal year and $350,000 for the 2022-2023 fiscal year shall be transferred to the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be allocated as a directed grant to Community-Based Developmental Services, Inc., a nonprofit organization. Community-Based Developmental Services, Inc., shall use these grant funds to increase the organization's capacity to provide certified clinical assessment, case management, and medication-assisted treatment services for uninsured individuals with substance use disorders. The substance use disorder treatment services funded by this subdivision shall target, but are not exclusively for, uninsured individuals who are members of North Carolina's Hispanic/LatinX or American Indian populations.

SECTION 3.6.(b) Section 9B.5 of S.L. 2021-180 is repealed.

PART IV. AGRICULTURE AND CONSUMER SERVICES

GO GLOBAL CLARIFICATION

SECTION 4.1. Section 10.5 of S.L. 2021-180 reads as rewritten:

"**SECTION 10.5.** Funds appropriated in this act to the Department of Agriculture and Consumer Services for international marketing may be used by the Department for positions and international outreach to ~~rebrand the Department's international marketing section as Go Global NC.~~continue the Go Global NC brand."

CLARIFY MEAT AND SEAFOOD PROCESSING GRANT PROGRAM

SECTION 4.2. Section 10.7 of S.L. 2021-180 reads as rewritten:

"**SECTION 10.7.(a)** Findings. – The General Assembly finds that the COVID-19 pandemic of 2020-2021 resulted in serious and substantial impacts on the food supply chain and revealed

bottlenecks and lack of capacity among the small and independent meat processors and producers of further processed meat products who serve small livestock producers. These bottlenecks and lack of capacity have a substantial negative impact on the ability of these small livestock producers to have their livestock slaughtered and processed. In addition, seafood processors lack capacity to meet increased and altered consumer demand for seafood products due to supply chain disruptions and other long-term changes in the market for seafood and seafood products. The General Assembly further finds that financial assistance to these processors for expansion, facility improvements, and workforce development is necessary to reduce disruptions in the supply chain for fresh meat and seafood and to help small producers get their products to market.

"**SECTION 10.7.(b)** Use of Funds and Limitation. – The funds appropriated in this act from the State Fiscal Recovery Fund to the Department of Agriculture and Consumer Services for grants to meat and seafood processors shall be used to provide grants as specified in this section to reduce or prevent impacts on the supply chain for fresh meat in the State and to improve the resiliency of the fresh meat and seafood supply chain to future disruptions. The following limitations and reservations apply:

~~(1) No more than thirty-five percent (35%) of the funds allocated in this section may be used for grants to seafood processors.~~

(2) No more than two million dollars ($2,000,000) of the funds allocated in this section may be used to supplement grants previously awarded to reflect construction cost inflation.

(3) No more than three percent (3%) of the total funds allocated in this section may be used for technical and administrative support.

"**SECTION 10.7.(c)** Grant Types and Criteria. – The Department shall develop policies and procedures for the disbursement of the grants authorized by this section that include, at a minimum, the following:

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

a. Capacity enhancement grant. – This grant is available to an eligible meat or seafood processing facility that is experiencing slowdowns in production or has limited capacity to accommodate increased demand for meat or seafood processing. A capacity enhancement grant may be used for expansion of an existing eligible facility and for fixtures or equipment at an existing eligible facility that will expand animal throughput, processing capacity, the amount or type of products produced, or processing speed. ~~A grant under this sub-subdivision may not exceed five hundred thousand dollars ($500,000).~~

b. Workforce development grant. – This grant is available to an eligible meat or seafood processing facility that is experiencing slowdowns in production or has limited capacity to accommodate increased demand for meat or seafood processing due to workforce limitations or reductions due to a pandemic or other natural disaster. A workforce development grant may be used for educational and workforce training provided either by the facility or by an accredited institution of higher education. ~~A grant under this sub-subdivision may not exceed one hundred thousand dollars ($100,000).~~

c. Planning grant. – This grant is available to a nonprofit entity or institution of higher education to complete feasibility or siting studies for a new eligible meat processing facility. ~~No more than five percent (5%) of funds allocated by this section may be used for grants under this sub-subdivision.~~

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

a. A food processing facility that meets both of the following requirements:

~~a.~~1. The plant contracts with independent livestock producers or seafood harvesters to process animals or seafood.

~~b.~~2. The United States Department of Agriculture (USDA) contracts with Department inspectors to conduct federal inspection activities authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at the plant, the plant is otherwise regulated by the USDA or the United States Food and Drug Administration, or the plant is a State-inspected facility.

b. A facility producing further processed meat products for which the USDA contracts with Department inspectors to conduct federal inspection activities authorized by the Talmadge-Aiken Act of 1962 (7 U.S.C. § 1633) at the plant, or which is a State-inspected facility, or which is a USDA-inspected processor of shelf-stable meat or meat products.

…."

CLARIFY SWINE AND DAIRY ASSISTANCE PROGRAM

SECTION 4.3. Subsection 10.8(e) of S.L. 2021-180 reads as rewritten:

"**SECTION 10.8.(e)** Financial Assistance Procedures. – The Department shall award financial assistance based on the following procedures:

(1) The Department shall award a one-time financial assistance relief payment of thirty-one thousand five hundred dollars ($31,500) to each eligible applicant.

(2) In addition to the financial assistance awarded under subdivision (1) of this subsection, the Department shall award either, but not both, of the following to a qualifying eligible applicant:

…

b. Financial assistance to swine producers for a fixed dollar amount per head space for producers who are able to secure a production contract with ~~another~~ a swine integrator but must invest in upgrades to existing barns or completely rebuild animal housing. The maximum award under this sub-subdivision for renovations shall be ten dollars ($10.00) per head space for renovation to animal housing or twenty dollars ($20.00) per head space for rebuilt animal housing, but no award under this sub-subdivision may exceed ninety percent (90%) of the actual cost of the renovation or construction. A swine producer shall produce documentation of a new contract or letter of intent with a swine integrator to establish eligibility for this financial assistance.

…."

AGRICULTURAL CROP LOSS PROGRAM EXPANSION

SECTION 4.4.(a) Agricultural Crop Loss Program Expansion. – On August 17, 2021, Secretary Thomas J. Vilsack declared a natural disaster in the State based on the damages and losses caused by freezing temperatures and frost from April 2, 2021, to April 21, 2021, in several counties in this State (freeze disaster), allowing for counties in the disaster area to apply for Farm Service Agency emergency loans. The Agricultural Crop Loss Program (Program) established within the Department of Agriculture and Consumer Services (Department) in Section 5.9B of S.L. 2021-180 is expanded to include damages and losses to agricultural commodities caused by the freeze disaster within qualifying counties as listed in subsection (b)

of this section. The Program expansion shall be used to provide financial assistance in accordance with this section to persons affected by the freeze disaster.

SECTION 4.4.(b) Eligibility. – To be eligible for financial assistance under the Program expansion, a person must have experienced a verifiable loss of agricultural commodities as a result of the freeze disaster and the person's farm is located in a qualifying county.

SECTION 4.4.(c) Verification of Loss. – A person seeking financial assistance for losses of agricultural commodities under the Program expansion shall submit to the Department a Form 578 on file with the USDA Farm Service Agency or a form provided by the Department for reporting acreage or plantings of crops not typically reported on Form 578, along with any other documentation deemed appropriate by the Department, on or before April 15, 2022. For agricultural commodities where the survival level is not immediately known, the Department may extend this deadline to June 1, 2022, upon written request by the person received on or before April 15, 2022, and upon approval by the Department. A person who received or applied for financial assistance for losses of agricultural commodities caused by Tropical Storm Fred under the Program established in Section 5.9B of S.L. 2021-180 shall submit that information with the application for financial assistance in accordance with this section. A person receiving assistance under this Program expansion must provide a signed affidavit, under penalty of perjury, certifying that each fact of the loss presented by the person is accurate.

SECTION 4.4.(d) Criteria. – The Department shall administer the financial assistance program authorized by this section in accordance with the following criteria:

(1) In determining the payment calculation for agricultural commodities, the Department shall use a formula based on acreage, county loss estimates, USDA National Agricultural Statistics Service averages, and any other measure the Department deems appropriate. Funds shall be distributed based on county averages for yields and State averages for price. Calculations shall be based on county or State averages in price, whichever the Department determines is appropriate.

(2) The Department shall gather all claim information, except from those applicants granted a deadline extension, no later than April 15, 2022. The Department shall, as closely as possible, estimate the amount of the funds needed to be held in reserve for payments related to losses of agricultural commodities for which losses will not be fully known or calculated. The Department shall set aside funds as it deems appropriate based on the estimated percentage of these losses.

(3) The Department shall ensure applicants who received financial assistance under the Program established in Section 5.9B of S.L. 2021-180 for damages or losses caused by Tropical Storm Fred demonstrate a separate and distinct loss due to the freeze disaster.

SECTION 4.4.(e) Definitions. – For purposes of this section, the following definitions apply:

(1) Agricultural commodity. – As defined in Section 5.9B(i) of S.L. 2021-180, as amended by S.L. 2021-189.

(2) Person. – As defined in Section 5.9B(i) of S.L. 2021-180, as amended by S.L. 2021-189.

(3) Qualifying counties. – Buncombe, Haywood, Henderson, Polk, Rutherford, and Transylvania Counties.

SECTION 4.4.(f) Audit; Expenditure of Awarded Funds; Refund of Award. – Subsections (f) through (h) of Section 5.9B of S.L. 2021-180 apply to this section.

SECTION 4.4.(g) Program Expansion Reporting Requirement. – The Department shall include in the report required in Section 5.9B(j) of S.L. 2021-180 all of the following data for the Program expansion:

(1) The number of applicants and the county in which the person incurred the verified loss.
(2) The number and amount of grants awarded.
(3) The geographic distribution of the grants awarded.
(4) The total amount of funding available to the Program, the total amount encumbered, and the total amount disbursed to date.
(5) Any refunds made to the Program pursuant to Section 5.9B(h) of S.L. 2021-180.

PART V. COMMERCE

PIEDMONT TRIAD AIRPORT AUTHORITY

SECTION 5.1. Section 11.20 of S.L. 2021-180, as enacted by Section 4.4A of S.L. 2021-189, reads as rewritten:

"**SECTION 11.20.** Provided the Economic Investment Committee awards a Job Development Investment Grant (JDIG) for a high-yield project for an airplane manufacturer in Guilford County and for which the average annual wage is at least sixty thousand dollars ($60,000), of the funds appropriated to the Department of Commerce (Department) for the 2021-2022 fiscal year the sum of one hundred six million seven hundred fifty thousand dollars ($106,750,000) shall be used for improvements at the Piedmont Triad International Airport (Airport) as follows:

…

(3) Fifty-six million seven hundred fifty thousand dollars ($56,750,000) to be allocated to the Airport for the construction of one or more new hangars at the Airport for the project. The Piedmont Triad Airport Authority (Authority) may contract for the design and construction of the new hangars using any delivery method it deems appropriate, and the Department shall pay the costs of the design and construction to the Authority or shall reimburse the Authority for the costs of the design and construction from the funds allocated under this subdivision. If it deems it appropriate, the Authority may authorize, in writing, the prospective operator of the new hangars to contract for the design and construction of the hangars, and the Department shall pay the costs of the design and construction to the prospective operator or shall reimburse the prospective operator for the costs of the design and construction from the funds allocated under this subdivision. For purposes of this subdivision, neither the Authority nor the prospective operator shall be subject to the provisions of Article 3D of Chapter 143 of the General Statutes or Article 8 of Chapter 143 of the General Statutes."

MOTORSPORT INDUSTRY GRANT APPLICATION DEADLINE

SECTION 5.2. Section 11.14 of S.L. 2021-180, as amended by Section 4.4 of S.L. 2021-189, reads as rewritten:

"…

"**SECTION 11.14.(b)** Of the funds appropriated in this act from the State Fiscal Recovery Fund to the Department of Commerce, the sum of five million dollars ($5,000,000) shall be used to provide, in collaboration with the North Carolina Motorsports Association, a nonprofit organization, in the form of grants to local governments to enhance amenities and increase opportunities for events at motorsport venues in recognition of the impact those events have on local tourism, travel, and hospitality industries. To be eligible for a grant under this subsection, a motorsport venue must be located in this State and must be either (i) have been sanctioned at any time on or after January 1, 2010, by the National Association for Stock Car Auto Racing,

LLC (NASCAR), the National Hot Rod Association, or the International Hot Rod Association or (ii) have hosted a NASCAR Cup Series race on or after September 29, 1996. An eligible sanctioned motorsport venue must apply to the Department of Commerce for grant funds under this subsection before ~~January 31, 2022,~~ February 26, 2022, to be eligible. Funds received pursuant to this subsection shall be used to offset negative economic impacts of the COVID-19 pandemic, support safe reopening, and aid planned expansions or upgrades delayed due to the COVID-19 pandemic. The local government unit shall select a qualifying use approved by the motorsport venue. Local governments receiving funds under this subsection shall ensure that uses for the funds comporting with this subsection are expeditiously undertaken. The Department of Commerce shall disburse funds in equal amounts among the eligible applicants. The Department of Commerce may use up to three percent (3%) of funds allocated in this subsection for administration of the motorsports grant program described in this subsection.

"**SECTION 11.14.(c)** Small Venue Support. – Of the funds appropriated in this act from the State Fiscal Recovery Fund to the Department of Commerce, the sum of one million dollars ($1,000,000) shall be used to provide, in collaboration with applicant small motorsports venues, ~~in the form of~~ grants to local governments for such venues. The following shall apply to grants awarded under this subsection:

…

(2) Application. – A venue eligible under this subsection may apply to the Department for a grant on a form prescribed by the Department and must include any supporting documentation required by the Department. The application must be filed with the Department on or before ~~January 31, 2022.~~ February 26, 2022. The Department may not accept late applications.

…."

SHELLFISH GROWERS LOAN PROGRAM ADMINISTRATIVE EXPENSES

SECTION 5.3. G.S. 113-211, as enacted by Section 11.4 of S.L. 2021-180, reads as rewritten:

"**§ 113-211. Shellfish Growers Loan Program.**

…

(b) Program. – There is established the Shellfish Growers Loan Program to be administered by the Rural Center. The program shall provide a revolving source of low-interest working capital and equipment loans to emerging and existing small shellfish growers in this State. Funds credited to the program are available in perpetuity and must be used only to provide loans to eligible businesses or for administrative expenses as allowed in this section.

(c) Loans. – The following shall apply to the program and loans made under the program:

…

(6) The qualifying lender may retain an amount equal to the interest collected under subdivision (1) of this ~~subsection and may assess an origination fee not to exceed two percent (2%) of the principal amount of the loan.~~subsection.

…

(f) Administrative Expenses. – The Rural Center may use up to seven and one-half percent (7.5%) of the principal amount of each loan provided under this program, not to exceed a maximum of thirty-seven thousand five hundred dollars ($37,500) in each fiscal year, for its expenses and for reimbursement to qualifying lenders of program-related expenses incurred by the qualifying lenders."

CLARIFY TOWN OF BELMONT DIRECTED GRANT

SECTION 5.4. Notwithstanding any provision of the Committee Report referenced in Section 43.2 of S.L. 2021-180 to the contrary, the directed grant to the Town of Belmont for TechWorks of Gaston County in the sum of five hundred thousand dollars ($500,000) for the

2021-2022 fiscal year may be used for scholarships, youth programming, and other purposes related to education.

EASTERN NC MARKETING CLARIFICATION

SECTION 5.5. S.L. 2021-180 is amended by adding a new section to read:

"**EASTERN NC MARKETING CLARIFICATION**

"**SECTION 11.11B.** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, the funds appropriated to the Department of Commerce for its contract with which the Department contracts pursuant to G.S. 143B-431.01(b) for Eastern NC marketing shall instead be used as a directed grant to the Pitt County Committee of 100, Inc., d/b/a Greenville-ENC Alliance, a nonprofit corporation, for the marketing and branding of Eastern North Carolina."

PART VI. ENVIRONMENTAL QUALITY

WATER AND SEWER INFRASTRUCTURE FUNDING CATEGORIZATION AMENDMENTS

SECTION 6.1.(a) Section 12.13(a) of S.L. 2021-180 reads as rewritten:

"**SECTION 12.13.(a)** Allocation. – ~~Funds~~ Notwithstanding any provision of the Committee Report referenced in Section 43.2 of this act to the contrary, funds appropriated in this act from the State Fiscal Recovery Fund to the Department of Environmental Quality for the Water Infrastructure Fund shall be allocated for water and sewer infrastructure as follows:

(1) ~~Four hundred fifty-six million four hundred thousand dollars ($456,400,000)~~ Four hundred forty-four million four hundred thousand dollars ($444,400,000) for the Viable Utility Reserve to be used for the purposes set forth in subdivisions (1) through (5) of G.S. 159G-32(d).

…

(3a) Twelve million dollars ($12,000,000) for the Drinking Water Reserve and the Wastewater Reserve to provide project construction grants to the Town of Norwood in the amount of two million dollars ($2,000,000) and to Rockingham County in the amount of ten million dollars ($10,000,000). Funds allocated to the Town of Norwood under this subdivision shall only be used for the expansion of Lake Tillery and shall not be used to supplant existing funds or funds received or awarded to the Town for other projects. The limits set forth in G.S. 159G-36(c)(3) shall not apply to grants awarded from funds allocated by this subdivision. Funds allocated by this subdivision in excess of the amounts needed to complete these projects shall revert to the Drinking Water Reserve and the Wastewater Reserve and may be used for other eligible projects for the purposes set forth in subdivisions (2) through (3a) of G.S. 159G-34(a) and subdivisions (2) through (3a) of G.S. 159G-33(a).

…."

SECTION 6.1.(b) Subdivisions (8), (11), (12), (14), (16), and (17) of subsection 12.13(d) of S.L. 2021-180 are repealed.

SECTION 6.1.(c) Subsection 12.13(e) of S.L. 2021-180 reads as rewritten:

"**SECTION 12.13.(e)** At-Risk Projects. – Of the funds allocated by subdivision (a)(2) of this section, the following sums shall be granted to the indicated local governments and public entities for water and wastewater infrastructure projects:

…

(12) Two million dollars ($2,000,000) to the Town of Littleton.

(12a) Eight million three hundred fifty thousand dollars ($8,350,000) to the Town of Madison.

…

(23a) Two million eight hundred thousand dollars ($2,800,000) to the City of Southport.

…

(25a) One million seventy thousand dollars ($1,070,000) to the Town of Topsail Beach.

(26) Seven million dollars ($7,000,000) to Transylvania County.

(26a) Five million nine hundred ninety-four thousand dollars ($5,994,000) to the City of Trinity.

(27) One hundred thousand dollars ($100,000) to the Town of Winton."

LAKE JUNALUSKA PROJECT CLARIFICATION

SECTION 6.2.(a) Notwithstanding the Committee Report referenced in Section 43.2 of S.L. 2021-180, no funds shall be allocated to Haywood County for Lake Junaluska from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund.

SECTION 6.2.(b) The Department of Environmental Quality shall transfer the sum of one million five hundred thousand dollars ($1,500,000) in nonrecurring funds for the 2021-2022 fiscal year from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund (Budget Code 24300, Fund Code 2182) to the Office of State Budget and Management – Special Appropriations (Budget Code 13085). The funds transferred by this subsection are appropriated to the Office of State Budget and Management for a directed grant to Haywood County for various projects at Lake Junaluska.

SECTION 6.2.(c) Section 12.5(b) of S.L. 2021-180 reads as rewritten:

"**SECTION 12.5.(b)** Notwithstanding G.S. 143-215.73F, there shall be no match required for funds appropriated by this act from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund for the following projects:

(1) The Highway 24 Boat Ramp park in Carteret County.

~~(2) Dredging of Lake Junaluska in Haywood County.~~

(3) Dredging of Walden Pond Lake in Union County."

PART VII. NATURAL AND CULTURAL RESOURCES

SYMPHONY CHALLENGE GRANT TECHNICAL CLARIFICATION

SECTION 7.1. Section 14.6 of S.L. 2021-180 reads as rewritten:

"**SECTION 14.6.(a)** Of the funds appropriated in this act to the ~~Office of State Budget and Management – Special Appropriations,~~ Department of Natural and Cultural Resources, the sum of two million dollars ($2,000,000) in recurring funds for each year of the 2021-2023 fiscal biennium shall be allocated to the North Carolina Symphony as provided in this section. It is the intent of the General Assembly that the North Carolina Symphony raise at least five million dollars ($5,000,000) in non-State funds for the 2021-2022 fiscal year and five million dollars ($5,000,000) in non-State funds for the 2022-2023 fiscal year. The North Carolina Symphony cannot use funds transferred from the organization's endowment to its operating budget to achieve the fundraising targets set out in subsections (b) and (c) of this section.

"**SECTION 14.6.(b)** For the 2021-2022 fiscal year, the North Carolina Symphony shall receive allocations from the ~~Office of State Budget and Management~~ Department of Natural and Cultural Resources as follows:

(1) Upon raising the initial sum of two million dollars ($2,000,000) in non-State funding, the North Carolina Symphony shall receive the sum of six hundred thousand dollars ($600,000).

(2) Upon raising an additional sum of two million dollars ($2,000,000) in non-State funding for a total amount of four million dollars ($4,000,000) in non-State funds, the North Carolina Symphony shall receive the sum of seven hundred thousand dollars ($700,000).

(3) Upon raising an additional sum of one million dollars ($1,000,000) in non-State funding for a total amount of five million dollars ($5,000,000) in non-State funds, the North Carolina Symphony shall receive the final sum of seven hundred thousand dollars ($700,000) in the 2021-2022 fiscal year.

"**SECTION 14.6.(c)** For the 2022-2023 fiscal year, the North Carolina Symphony shall receive allocations from the ~~Office of State Budget and Management~~ Department of Natural and Cultural Resources as follows:

(1) Upon raising the initial sum of two million dollars ($2,000,000) in non-State funding, the North Carolina Symphony shall receive the sum of six hundred thousand dollars ($600,000).

(2) Upon raising an additional sum of two million dollars ($2,000,000) in non-State funding for a total amount of four million dollars ($4,000,000) in non-State funds, the North Carolina Symphony shall receive the sum of seven hundred thousand dollars ($700,000).

(3) Upon raising an additional sum of one million dollars ($1,000,000) in non-State funding for a total amount of five million dollars ($5,000,000) in non-State funds, the North Carolina Symphony shall receive the final sum of seven hundred thousand dollars ($700,000) in the 2022-2023 fiscal year."

SUPPORT FOR NC TRAILS CONFORMING AND AMENDATORY CHANGES

SECTION 7.2.(a) Section 14.7(d)(2) of S.L. 2021-180 reads as rewritten:

"(2) Development funds for land-based trails. – The sum of ~~twenty-five million one hundred thousand dollars ($25,100,000)~~ twenty-five million fifty thousand dollars ($25,050,000) shall be distributed by the Department in accordance with the partner organization MOUs developed under subdivision (1) of this subsection for each component of the State Trail System that is land-based, or has significant land-based components as follows:

a. The Department shall distribute ~~fifteen million one hundred thousand dollars ($15,100,000)~~ fifteen million fifty thousand dollars ($15,050,000) to the partner organizations for each land-based trail in proportion to the number of miles of that trail not yet constructed. These funds may be used for any of the purposes described in subsection (b) of this section, provided that no more than fifteen percent (15%) of the funds may be used for the purpose set out in subdivision (b)(1) of this section.

…."

SECTION 7.2.(b) Subsection 14.7(d) of S.L. 2021-180 is amended by adding a new subdivision to read:

"(7) Overmountain Victory Trail MOU. – The partner organization designated by the Department to enter into an MOU for activities related to the Overmountain Victory Trail shall be OVNCST-Friends, a nonprofit corporation."

PADDLE TRAIL DEVELOPMENT FUNDING CLARIFICATION

SECTION 7.2A. Section 14.7(d) of S.L. 2021-180 reads as rewritten:

"**SECTION 14.7.(d)** Funding Requirements. – Funds appropriated by this act to the State Capital and Infrastructure Fund and allocated to the Department of Natural and Cultural Resources for the CTF shall be distributed as set forth in this subsection.

…

(4) Development funds for existing paddle trails. – The sum of four hundred twenty-five thousand dollars ($425,000) shall be distributed by the Department in equal amounts to the partners for the Yadkin River Paddle Trail and the French Broad River Paddle Trail. These trails are not eligible for additional funding under ~~subdivision (2)~~ sub-subdivision (2)a. of this ~~subsection.~~subsection but are eligible for funds under sub-subdivision (2)b. of this subsection.

…."

SCIENCE MUSEUM GRANTS TECHNICAL CLARIFICATION

SECTION 7.3. Section 14.12 of S.L. 2021-180 reads as rewritten:

"**SECTION 14.12.** The maximum grant amounts set forth in G.S. 143B-135.227(b1) shall not apply to the nonrecurring funds appropriated by this act to the Department of Natural and Cultural Resources for the 2021-2023 fiscal biennium for Science Museum grants and allocated as provided in the Committee Report described in Section ~~42.2~~ 43.2 of this act."

AMERICAN INDIAN HERITAGE COMMISSION CLARIFICATION

SECTION 7.4. G.S. 143B-135.5 reads as rewritten:

"**§ 143B-135.5. American Indian Heritage Commission established.**

…

(b) Members. – The Commission shall consist of 12 members. The initial board shall be selected on or before February 1, 2022, as follows:

(1) One representative recommended by each of the following tribes: Coharie, Eastern Band of Cherokee ~~Nation,~~ Indians, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan.

…

(c) Terms. – The members recommended by the Coharie, Eastern Band of Cherokee ~~Nation,~~ Indians, Haliwa-Saponi, and Lumbee Tribes and the members recommended by the Cumberland County Association for Indian People and the Guilford Native American Association shall serve initial terms of two years expiring on June 30, 2023. The members recommended by the Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan Tribes and the members recommended by the Metrolina Native American Association and the Triangle Native American Society shall serve initial terms of three years expiring on June 30, 2024. Upon the expiration of the terms of the initial members of the Commission, each member shall be appointed to terms for three years and shall serve until a successor is appointed.

…."

PART VIII. ADMINISTRATIVE OFFICE OF THE COURTS

REDIRECT NEWLY CREATED MAGISTRATE POSITION FROM PERQUIMANS COUNTY TO CURRITUCK COUNTY

SECTION 8.1. G.S. 7A-133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

	Magistrates	Additional

County	Min.	Seats of Court
…		
Currituck	~~3~~4	
…		
Perquimans	~~4~~3	

…."

CONFORMING CHANGES RELATED TO RECENTLY ENACTED LANGUAGE RENAMING AND EXPANDING DRUG TREATMENT COURT PROVISIONS TO REFERENCE JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURTS

SECTION 8.2.(a) G.S. 7A-271(f) reads as rewritten:

"(f) The superior court has exclusive jurisdiction over all hearings to revoke probation pursuant to G.S. 15A-1345(e) where the district court is supervising a ~~drug treatment court or therapeutic~~ local judicially managed accountability and recovery court probation judgment under G.S. 7A-272(e), except that the district court has jurisdiction to conduct the revocation proceedings when the chief district court judge and the senior resident superior court judge agree that it is in the interest of justice that the proceedings be conducted by the district court. If the district court exercises jurisdiction under this subsection to revoke probation, appeal of an order revoking probation is to the appellate division."

SECTION 8.2.(b) G.S. 7A-272 reads as rewritten:

"**§ 7A-272. Jurisdiction of district court; concurrent jurisdiction in guilty or no contest pleas for certain felony offenses; appellate and appropriate relief procedures applicable.**

…

(e) With the consent of the chief district court judge and the senior resident superior court judge, the district court has jurisdiction to preside over the supervision of a probation judgment entered in superior court in which the defendant is required to participate in a ~~drug treatment~~ local judicially managed accountability and recovery court program pursuant to G.S. 15A-1343(b1)(2b) or ~~a therapeutic court as defined in subsection (f) of this section, or~~ is participating in ~~the drug treatment~~ a local judicially managed accountability and recovery court program pursuant to a deferred prosecution agreement under G.S. 15A-1341(a2) or the terms of a conditional discharge under G.S. 15A-1341(a5). The district court may modify or extend the probation judgment, but jurisdiction to revoke probation supervised under this subsection is as provided in G.S. 7A-271(f).

~~(f) As used in subsection (e) of this section, the term "therapeutic court" refers to a court, other than drug treatment court established pursuant to Article 62 of Chapter 7A of the General Statutes, in which a criminal defendant, either as a condition of probation or pursuant to a deferred prosecution agreement or the terms of a conditional discharge under G.S. 15A-1341, is ordered to participate in specified activities designed to address underlying problems of substance abuse and mental illness that contribute to the person's criminal activity. The ordered activities shall, at a minimum, require the person to participate in treatment and attend regular court sessions of the therapeutic court over an extended period of time. The senior resident superior court judge and the chief district court judge shall agree in writing that the therapeutic court is being established and shall file the written agreement with the Administrative Office of the Courts before jurisdiction established by subsection (e) of this section may be exercised by the district court.~~"

SECTION 8.2.(c) A therapeutic court established pursuant to G.S. 7A-272 prior to enactment of subsection (b) of this section shall be allowed to remain in effect and shall be considered a local judicially managed accountability and recovery court subject to the provisions of Article 62 of Chapter 7A of the General Statutes.

SECTION 8.2.(d) Subchapter XIV of Chapter 7A of the General Statutes reads as rewritten:

"**SUBCHAPTER XIV. LOCAL JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURTS.**

"Article 62.

"Local Judicially Managed Accountability and Recovery Court Act.

…

"**§ 7A-792. Goals.**

The goals of the local judicially managed accountability and recovery courts funded under this Article include the following:

(1) To reduce alcoholism and other substance abuse and dependencies among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or ~~both;~~both.

(2) To reduce criminal and delinquent recidivism and the incidence of child abuse and ~~neglect;~~neglect.

(3) To reduce the alcohol-related and other substance-related court ~~workload;~~workload.

(3a) To reduce the mental, behavioral, or medical health-related court ~~workload;~~workload.

(4) To increase the personal, familial, and societal accountability of adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or ~~both; and~~both.

…

"**§ 7A-793. Establishment of North Carolina Judicially Managed Accountability and Recovery Court Program.**

The North Carolina Judicially Managed Accountability and Recovery Court Program is established in the Administrative Office of the Courts to facilitate the creation, administration, and funding of local judicially managed accountability and recovery courts. The Director of the Administrative Office of the Courts shall provide any necessary staff for planning, organizing, and administering the program. Local ~~drug treatment~~ judicially managed accountability and recovery court programs funded pursuant to this Article shall be operated consistently with the guidelines adopted pursuant to G.S. 7A-795. Local judicially managed accountability and recovery courts established and funded pursuant to this Article may consist of local judicially managed accountability and recovery court programs approved by the Administrative Office of the Courts. With the consent of either the chief district court judge or the senior resident superior court judge, a local judicially managed accountability and recovery court may be established.

…

"**§ 7A-795. State Judicially Managed Accountability and Recovery Court Advisory Committee.**

The State Judicially Managed Accountability and Recovery Court Advisory Committee is established to develop and recommend to the Director of the Administrative Office of the Courts guidelines for the ~~judicially managed accountability~~ North Carolina Judicially Managed Accountability and ~~recovery court program~~ Recovery Court Program and to monitor local judicially managed accountability and recovery courts wherever ~~they~~ these courts are implemented and administered. The Committee shall be chaired by the Director or the Director's designee and shall consist of not less than seven members appointed by the Director and broadly representative of the courts, law enforcement, corrections, juvenile justice, child protective services, and substance abuse treatment communities. In developing guidelines, the Advisory Committee shall provide minimum standards of local judicially managed accountability and recovery courts.

"**§ 7A-796. Local judicially managed accountability and recovery court ~~committee.~~committees.**

Each judicial district choosing to establish a local judicially managed accountability and recovery court shall form a local judicially managed accountability and recovery court committee, which shall be comprised to assure representation appropriate to the type or types of local judicially managed accountability and recovery court operations to be conducted in the district and shall consist of persons appointed by the senior resident superior court judge with the concurrence of the chief district court judge and the district attorney for that district, chosen from the following list:

(1) A judge of the superior ~~court;~~court.
(2) A judge of the district ~~court;~~court.
(3) A district attorney or assistant district ~~attorney;~~attorney.
(4) A public defender or assistant public defender in judicial districts served by a public defender, a member of the private criminal defense bar, or a member of the private bar who represents respondents in department of social services juvenile ~~matters;~~matters.
(5) An attorney representing a county department of social services, the director or director's designee of the child welfare services division of a county department of social services, or a representative of the guardian ad litem from within the ~~district;~~district.
(6) Repealed by Session Law 2021-180.
(7) Repealed by Session Law 2021-180.
(8) Repealed by Session Law 2021-180.
(9) A clerk of superior ~~court;~~court.
(10) Repealed by Session Law 2021-180.
(11) Repealed by Session Law 2021-180.
(12) The chief juvenile court counselor for the ~~district;~~district.
(13) A probation ~~officer;~~officer.
(13a) The sheriff or sheriff's ~~designee;~~designee.
(14) A local law enforcement ~~officer;~~officer.
(15) A representative of the local school administrative ~~unit;~~unit.
(16) A representative of the local community college or other adjacent secondary educational institution with a school of social ~~work;~~work.
(17) A representative of the treatment ~~providers;~~providers.
(18) A representative of the area mental health entity managed care ~~organization;~~organization.
(19) Any local recovery court ~~coordinator; and~~coordinator.

…

The local judicially managed accountability and recovery court committee shall develop local guidelines and procedures, not inconsistent with the State guidelines and minimum standards, that are necessary for the operation and evaluation of the local judicially managed accountability and recovery court.

"**§ 7A-797. Eligible population; ~~drug treatment~~ local judicially managed accountability and recovery court procedures.**

The Director of the Administrative Office of the Courts, in conjunction with the State Judicially Managed Accountability and Recovery Court Advisory Committee, shall develop criteria for eligibility, minimum standards, and other procedural and substantive guidelines for local judicially managed accountability and recovery court operation.

…

"**§ 7A-800. Payment of costs of ~~treatment program.~~treatment.**

Each defendant, offender, or respondent in a juvenile petition for abuse, neglect, or both, who receives treatment under a local judicially managed accountability and recovery court shall contribute to the cost of ~~the alcohol and other substance abuse or dependency~~ that treatment ~~received in the judicially managed accountability and recovery court,~~ based upon guidelines developed by the local judicially managed accountability and recovery court committee.

…

"**§ 7A-802. Exemption from Article.**

This Article does not apply to drug treatment courts or local judicially managed accountability and recovery courts in existence on or before ~~December~~ January 1, ~~2021,~~ 2022, to the extent that compliance with this Article would disqualify the court for grant funding provided by the National Association of Drug Court Professionals."

SECTION 8.2.(e) G.S. 15A-1340.11 reads as rewritten:

"**§ 15A-1340.11. Definitions.**

The following definitions apply in this Article:

…

(2) Community punishment. – A sentence in a criminal case that does not include an active ~~punishment or~~ punishment, assignment to a ~~drug treatment~~ local judicially managed accountability and recovery court, or special probation as defined in G.S. 15A-1351(a). It may include any one or more of the conditions set forth in G.S. 15A-1343(a1).

…

~~(3a) Drug treatment court program. – Program to which offenders are required, as a condition of probation, to comply with the rules adopted for the program as provided for in Article 62 of Chapter 7A of the General Statutes and to report on a regular basis for a specified time to participate in:~~

~~a. Court supervision.~~

~~b. Drug screening or testing.~~

~~c. Drug or alcohol treatment programs.~~

…

(6) Intermediate punishment. – A sentence in a criminal case that places an offender on supervised probation. It may include ~~drug treatment~~ local judicially managed accountability and recovery court, special probation as defined in G.S. 15A-1351(a), and one or more of the conditions set forth in G.S. 15A-1343(a1).

(6c) Local judicially managed accountability and recovery court program. – Local program in which offenders are required, as a condition of probation, to comply with the rules adopted for the program as provided for in Article 62 of Chapter 7A of the General Statutes and to report on a regular basis for a specified time to participate in any of the following:

a. Court supervision.

b. Drug screening or testing.

c. Drug or alcohol treatment programs.

d. Mental, behavioral, or medical health-related treatment programs.

(7) Prior conviction. – A person has a prior conviction when, on the date a criminal judgment is entered, the person being sentenced has been previously convicted of a ~~crime:~~crime in either:

a. ~~In the~~ The district court, and the person has not given notice of appeal and the time for appeal has ~~expired; or~~expired.

b. ~~In the~~ The superior court, regardless of whether the conviction is on appeal to the appellate ~~division; or~~division.

c. ~~In the~~ The courts of the United States, another state, the Armed Forces of the United States, or another country, regardless of whether the offense would be a crime if it occurred in North Carolina, regardless of whether the crime was committed before or after the effective date of this Article.

…."

SECTION 8.2.(f) G.S. 15A-1340.16(e) reads as rewritten:

"(e) Mitigating Factors. – The following are mitigating factors:

…

(16) The defendant has entered and is currently involved in or has successfully completed either (i) a drug treatment ~~program or~~ program, (ii) an alcohol treatment ~~program~~ program, or (iii) a mental, behavioral, or medical health-related treatment program, subsequent to arrest and prior to trial.

…."

SECTION 8.2.(g) G.S. 15A-1341 reads as rewritten:

"**§ 15A-1341. Probation generally.**

…

(a2) Deferred Prosecution for Purpose of ~~Drug Treatment~~ Local Judicially Managed Accountability and Recovery Court Program. – A defendant eligible for a ~~Drug Treatment Court Program~~ local judicially managed accountability and recovery court program pursuant to Article 62 of Chapter 7A of the General Statutes may be placed on probation if the court finds that prosecution has been deferred by the prosecutor, with the approval of the court, pursuant to a written agreement with the defendant, for the purpose of allowing the defendant to participate in and successfully complete the ~~Drug Treatment Court Program.~~local judicially managed accountability and recovery court program.

…

(a5) Conditional Discharge for Purpose of ~~Drug Treatment~~ Local Judicially Managed Accountability and Recovery Court Program. – When a defendant is eligible for a ~~Drug Treatment Court Program~~ local judicially managed accountability and recovery court program pursuant to Article 62 of Chapter 7A of the General Statutes, the court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place the defendant on probation for the purpose of allowing the defendant to participate in and successfully complete ~~the Drug Treatment Court Program.~~a local judicially managed accountability and recovery court program.

…."

SECTION 8.2.(h) G.S. 15A-1343(b1) reads as rewritten:

"(b1) Special Conditions. – In addition to the regular conditions of probation specified in subsection (b), the court may, as a condition of probation, require that during the probation the defendant comply with one or more of the following special conditions:

…

(2b) Participate in and successfully complete a ~~Drug Treatment Court Program~~ local judicially managed accountability and recovery court program pursuant to Article 62 of Chapter 7A of the General Statutes.

…."

SECTION 8.2.(i) G.S. 15A-1343.2(d) reads as rewritten:

"(d) Lengths of Probation Terms Under Structured Sentencing. – Unless the court makes specific findings that longer or shorter periods of probation are necessary, the length of the original period of probation for offenders sentenced under Article 81B shall be as follows:

(1) For misdemeanants sentenced to community punishment, not less than six nor more than 18 ~~months;~~months.

(2) For misdemeanants sentenced to intermediate punishment, not less than 12 nor more than 24 ~~months;~~months.

(3) For felons sentenced to community punishment, not less than 12 nor more than 30 ~~months; and~~months.

…

If the court finds at the time of sentencing that a longer period of probation is necessary, that period may not exceed a maximum of five years, as specified in G.S. 15A-1342 and G.S. 15A-1351.

Extension. – The court may with the consent of the offender extend the original period of the probation if necessary to complete a program of restitution or to complete medical or psychiatric treatment ordered as a condition of probation. This extension may be for no more than three years, and may only be ordered in the last six months of the original period of probation."

SECTION 8.2.(j) G.S. 15A-1344(a1) reads as rewritten:

"(a1) Authority to Supervise Probation in ~~Drug Treatment~~ Local Judicially Managed Accountability and Recovery Court. – Jurisdiction to supervise, modify, and revoke probation imposed in cases in which the offender is required to participate in a ~~drug treatment~~ local judicially managed accountability and recovery court ~~or a therapeutic court~~ program is as provided in ~~G.S. 7A-272(e) and G.S. 7A-271(f).~~ G.S. 7A-272(e). Proceedings to modify or revoke probation in these cases must be held in the county in which the ~~drug treatment~~ local judicially managed accountability and recovery court ~~or therapeutic court~~ is located."

SECTION 8.2.(k) Subsections (e) and (g) of this section are effective when this section becomes law and apply to probation imposed on or after that date. Subsections (d) and (h) of this section are effective when this section becomes law and apply to offenses committed on or after that date. Subsection (f) of this section is effective when this section becomes law and applies to sentences imposed on or after that date. The remainder of this section is effective when this section becomes law.

REMOVE STATUTORY REFERENCE TO SPECIFIC COURT COST AMOUNT THAT HAS BEEN REPEALED AND REDISTRIBUTE AMOUNT OF REPEALED COURT COST TO OTHER RECIPIENTS

SECTION 8.3.(a) G.S. 20-135.2A(e) reads as rewritten:

"(e) Any driver or front seat passenger who fails to wear a seat belt as required by this section shall have committed an infraction and shall pay a penalty of twenty-five dollars and fifty cents ($25.50) plus the following court costs:

(1) ~~the~~ The General Court of Justice fee provided for in ~~G.S. 7A-304(a)(4),~~ G.S. 7A-304(a)(4).

(2) ~~the telephone facilities~~ The fee provided for in ~~G.S. 7A-304(a)(2a), and the law enforcement training and certification fee provided for in G.S. 7A-304(a)(3b).~~G.S. 7A-304(a)(2a).

(3) One dollar and fifty cents ($1.50) to be remitted to the county wherein the infraction was issued, except in those cases in which the infraction was issued by a law enforcement officer employed by a municipality, the fee shall be paid to the municipality employing the officer.

(4) One dollar and fifty cents ($1.50) for the supplemental pension benefits of sheriffs to be remitted to the Department of Justice and administered under the provisions of Article 12H of Chapter 143 of the General Statutes.

Any rear seat occupant of a vehicle who fails to wear a seat belt as required by this section shall have committed an infraction and shall pay a penalty of ten dollars ($10.00) and no court costs. Court costs assessed under this section are for the support of the General Court of Justice and shall be remitted to the State Treasurer. Conviction of an infraction under this section has no other consequence."

SECTION 8.3.(b) G.S. 20-140.4(c) reads as rewritten:

"(c) Any person convicted of violating this section shall have committed an infraction and shall pay a penalty of twenty-five dollars and fifty cents ($25.50) plus the following court costs:

(1) ~~the~~ The General Court of Justice fee provided for in ~~G.S. 7A-304(a)(4),~~ G.S. 7A-304(a)(4).

(2) ~~the telephone facilities~~ The fee provided for in ~~G.S. 7A-304(a)(2a), and the law enforcement training and certification fee provided for in G.S. 7A-304(a)(3b).~~G.S. 7A-304(a)(2a).

(3) One dollar and fifty cents ($1.50) to be remitted to the county wherein the infraction was issued, except in those cases in which the infraction was issued by a law enforcement officer employed by a municipality, the fee shall be paid to the municipality employing the officer.

(4) One dollar and fifty cents ($1.50) for the supplemental pension benefits of sheriffs to be remitted to the Department of Justice and administered under the provisions of Article 12H of Chapter 143 of the General Statutes.

Conviction of an infraction under this section has no other consequence."

SECTION 8.3.(c) This section becomes effective July 1, 2022, and applies to costs assessed on or after that date, however, in cases disposed of on or after that date by written appearance, waiver of trial or hearing, or plea of guilt or admission of responsibility pursuant to G.S. 7A-180(4) or G.S. 7A-273(2), and within the time limit imposed by G.S. 7A-304(a)(6), in which the citation or other criminal process was issued before July 1, 2022, the costs or fees shall be the lesser of those specified in this section or those specified in the notice portion of the defendant's or respondent's copy of the citation or other criminal process, if any costs or fees are specified in that notice.

ALLOW MAGISTRATES TO PERFORM CRIMINAL FIRST APPEARANCES UNDER CERTAIN CIRCUMSTANCES

SECTION 8.4. G.S. 15A-601(e) reads as rewritten:

"(e) The clerk of the superior court in the county in which the defendant is taken into custody may conduct a first appearance as provided in this Article if a district court judge is not available in the county within 72 hours after the defendant is taken into custody, or 96 hours after the defendant is taken into custody if the courthouse is closed for transactions for a period longer than 72 hours. A magistrate may conduct the first appearance if the clerk is not available. The ~~clerk,~~ clerk or magistrate, in conducting a first appearance, shall proceed under this Article as would a district court judge."

PART IX. PUBLIC SAFETY

DIVISION OF EMERGENCY MANAGEMENT REPORTING CLARIFICATION

SECTION 9.1. Section 19E.5(b) of S.L. 2021-180 reads as rewritten:

"**SECTION 19E.5.(b)** The Division shall report to the chairs of the Joint Legislative Emergency Management Oversight Committee, the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety, and the Fiscal Research Division on the awarding of grant funds pursuant to subsection (a) of this section by February 1, 2022, and by January 15 of each year thereafter until the funds appropriated by this section are expended."

MODIFY REPORTING DATES RELATED TO LOCAL STAR PROGRAMS

SECTION 9.3.(a) Section 19A.13 of S.L. 2021-180 reads as rewritten:

"**PILOT SUPPORT TEAM ASSISTED RESPONSE (STAR) PROGRAMS IN CERTAIN CITY POLICE DEPARTMENTS**

…

"**SECTION 19A.13.(b)** No later than ~~April~~ June 1, 2022, the Department of Public Safety, in consultation with the city police departments of Charlotte, Greensboro, and Greenville, shall report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding the following:

(1) The general progress of each STAR Program.
(2) The number of incidents in which each police department utilized its STAR Program.
(3) The outcomes of the incidents in which each police department utilized its STAR Program.
(4) An itemized accounting from each police department of the use of grant funds received for pilot STAR Programs funded in this act.

"**SECTION 19A.13.(c)** No later than ~~April~~ June 1, 2022, the Department of Public Safety shall provide the same report created pursuant to subsection (b) of this section to the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission. No later than ~~May~~ July 1, 2022, each Commission shall make the report publicly available on its website and shall jointly and electronically deliver a copy of the report to each county sheriff and municipal chief of police in the State."

SECTION 9.3.(b) This section is effective when it becomes law.

NORTH CAROLINA NATIONAL GUARD CYBER SECURITY RESPONSE FORCE

SECTION 9.4. Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of S.L. 2021-180 to the contrary, the funds granted to the North Carolina National Guard for supporting operations of the Cyber Security Response Force may be used for up to 10 full-time equivalent positions to support the Cyber Security Response Force.

PART X. BUDGET AND MANAGEMENT

LOCAL FISCAL RECOVERY FUNDS/TECHNICAL ASSISTANCE

SECTION 10.1. Section 23.3(a) of S.L. 2021-180 reads as rewritten:

"**SECTION 23.3.(a)** Of the funds appropriated in this act from the State Fiscal Recovery Fund to the Office of State Budget and Management, Pandemic Recovery Office, the sum of thirty million dollars ($30,000,000) in nonrecurring funds for the 2021-2022 fiscal year shall be allocated equally to the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, and the North Carolina Association of Regional Councils of Government to provide guidance and technical assistance to units of local government in the administration of funds from the Local Fiscal Recovery Fund, as established in Section 2.6 of ~~S.L. 2021-25.~~S.L. 2021-25, and in the administration of projects funded through the State Fiscal Recovery Fund, as established in Section 2.2 of S.L. 2021-25."

EXTEND DEADLINE FOR THE COUNCIL OF INTERNAL AUDITING TO SUBMIT REPORT TO GOV OPS

SECTION 10.2. G.S. 143-747(c)(11a), as enacted by Section 24.5(b) of S.L. 2021-180, reads as rewritten:

"(11a) Gather and assess the extent to which State agencies have met the minimum key performance indicators and criteria required under subdivision (3a) of this subsection. The Council shall report its findings to the Joint Legislative Commission on Governmental Operations on ~~October 1, 2022,~~ or before December 31, 2022, and annually thereafter."

FUTURE CITY COMPETITION IMPLEMENTATION

SECTION 10.3. Section 24.1F of S.L. 2021-180 reads as rewritten:

"**SECTION 24.1F.** Of the funds appropriated in this act to the Office of State Budget and Management, the sum of two hundred thousand dollars ($200,000) in nonrecurring funds for the 2021-2022 fiscal year shall be used to provide a directed grant to the Professional Engineers of North Carolina Educational Foundation (Foundation), a nonprofit organization, to support the NC Future City competition, a statewide program for sixth, seventh, and eighth grade students that engages students in a hands-on future challenge to foster engineering skills and create interest in S.T.E.M. careers. Funds appropriated for the purposes described in this section may be used by the Foundation to contract for services implementing the NC Future City competition but shall not be used to fund any portion of the salary for any employee of the Foundation."

PART X-A. BUDGET AND MANAGEMENT – DIRECTED GRANTS

YMCAS/FUNDS TO RECOVER FROM ECONOMIC IMPACTS OF COVID-19

SECTION 10A.1. Section 24.4 of S.L. 2021-180 reads as rewritten:

"**SECTION 24.4.** Of the funds appropriated in this act from the State Fiscal Recovery Fund to the Office of State Budget and Management, the sum of eleven million four hundred thousand dollars ($11,400,000) in nonrecurring funds for the 2021-2022 fiscal year shall be provided to ~~The Young Men's Christian Association of the Triangle Area, Inc., (YMCA), a nonprofit corporation, for~~ the North Carolina Alliance of ~~YMCAs (Alliance)~~ YMCAs, Inc., (Alliance), a nonprofit corporation, which shall develop and administer a grant program to provide funds to YMCAs in the State to assist them in their recovery from the economic impacts of the COVID-19 pandemic. ~~For purposes of the grant program, the YMCA shall serve only as the fiscal agent for the Alliance.~~ The following shall apply to the grant program developed and administered by the Alliance pursuant to this section:

(1) Individual grants shall not exceed one hundred thousand dollars ($100,000).

(2) Applicants shall demonstrate the ability to obligate and use all grant funds by the dates established by applicable federal law or guidance.

(3) Of the funds provided for the grant program in this section, the Alliance ~~and YMCA~~ may use a total of one hundred thousand dollars ($100,000) for administrative costs."

PART XI. HOUSING FINANCE AGENCY

EXTEND THE DEADLINE FOR THE QUALIFIED ALLOCATION PLAN STUDY

SECTION 11.1. Section 29.1(b) of S.L. 2021-180 reads as rewritten:

"**SECTION 29.1.(b)** No later than ~~July 1, 2022,~~ December 1, 2022, the Agency shall submit the results of the study required by subsection (a) of this section, and any proposed modifications to the amenities policies in the Qualified Allocation Plan, to the North Carolina Federal Tax Reform Allocation Committee (hereinafter "Committee"), established pursuant to Article 51B of Chapter 143 of the General Statutes, and the Fiscal Research Division. The Committee may propose any recommended modifications resulting from the study as part of the 2023 Qualified Allocation Plan."

WORKFORCE HOUSING LOAN PROGRAM

SECTION 11.2. Section 29.4(d) of S.L. 2021-180, as amended by Section 6.4 of S.L. 2021-189, reads as rewritten:

"**SECTION 29.4.(d)** Funds appropriated in this act from the State Fiscal Recovery Fund to the North Carolina Housing Finance Agency for the 2021-2022 fiscal year shall be used first to address funding gaps in previously awarded deals for eligible projects under G.S. 122A-5.15 resulting from the COVID-19 pandemic, including any cost increases, as determined by the Agency. Any funds remaining after the funding gaps have been addressed shall be used to make

loans for new eligible projects under G.S. 122A-5.15. The cap on the amount of loans that may be made under G.S. 122A-5.15(c) shall not apply to funds used to address funding gaps in previously awarded deals for eligible projects. Funds appropriated as provided in this subsection may be used in any manner authorized by the Final Rule issued by the United States Department of the Treasury for the State and Local Coronavirus Fiscal Recovery Fund, established under the American Rescue Plan Act (P.L. 117-2), including the issuance of grants."

DARE COUNTY AFFORDABLE HOUSING FUNDS

SECTION 11.3.(a) Section 24.3 of S.L. 2021-180 is repealed.

SECTION 11.3.(b) Notwithstanding any provision of S.L. 2021-180 or the Committee Report described in Section 43.2 of that act to the contrary, the sum of thirty-five million dollars ($35,000,000) in nonrecurring funds appropriated in that act for the 2021-2022 fiscal year to the Office of State Budget and Management for Dare County to use to make forgivable loans for the construction of affordable housing shall instead be used to provide a directed grant to Dare County for the purpose of providing affordable housing.

PART XII. INSURANCE

FIREFIGHTER AND EMS/RESCUE WORKER PAYMENTS TO WORKERS' COMPENSATION FUND FOR 2022-2023 AND 2023-2024 FISCAL YEARS

SECTION 12.1. Section 30.3 of S.L. 2021-180 reads as rewritten:

"**SECTION 30.3.** Notwithstanding the provisions of G.S. 58-87-10, for the ~~2021-2022 fiscal year and the~~ 2022-2023 fiscal year and the 2023-2024 fiscal year, the State Fire and Rescue Commission shall not set an amount to be paid by every eligible unit and eligible entity, as those terms are defined in G.S. 58-87-10(a), that elects to participate in the Workers' Compensation Fund (Fund) created pursuant to G.S. 58-87-10(b). For the ~~2021-2022 fiscal year and the~~ 2022-2023 fiscal year and the 2023-2024 fiscal year, no eligible unit or eligible entity shall be required to submit to the State Fire and Rescue Commission any payment to participate in the Fund."

PART XIII. MILITARY AND VETERANS AFFAIRS

CORRECT NAMES OF REPORTING ENTITIES FOR THE VETERANS JUSTICE INTERVENTION PILOT PROGRAM

SECTION 13.1. Subdivision (5) of Section 33.7(b) of S.L. 2021-180 reads as rewritten:

"(5) By June 30, 2022, report to the Joint Legislative Oversight Committee on General Government, the Joint Legislative Oversight Committee on Justice and Public Safety, and the Fiscal Research Division on the effectiveness of the pilot program, including the feasibility of expanding the program throughout the State."

PART XIII-A. REVENUE

BUSINESS RECOVERY GRANT PROGRAM CHANGES

SECTION 13A.1.(a) Section 34.3A of S.L. 2021-180, as amended by Section 6.5 of S.L. 2021-189, reads as rewritten:

"**SECTION 34.3A.(a)** Purpose; Use. – The purpose of this section is to use funds from the American Rescue Plan Act to aid businesses in North Carolina that suffered substantial economic damage from the COVID-19 pandemic.

…

"**SECTION 34.3A.(c)** Eligibility. – A business is eligible for a grant under this Program if it meets one of the following conditions:

(1) A hospitality grant if the business (i) is classified for the period for which economic loss is measured in NAICS Code 71 or 72 and (ii) demonstrates that it suffered an economic loss of at least twenty percent (20%).

(2) A reimbursement grant if the business (i) is not classified for the period for which economic loss is measured in NAICS Code 71 or ~~72,~~ 72 and (ii) demonstrates that it suffered an economic loss of at least twenty percent ~~(20%), and (iii) has not previously received an award amount.~~(20%).

"**SECTION 34.3A.(d)** Applications. – A business must apply to the Department of Revenue for a grant on a form prescribed by the Department and must include any supporting documentation required by the Department. The application must be filed with the Department on or before the deadline prescribed by the Department, which must be at least 60 days after the effective date of this section but no more than 90 days after the effective date of this section. The Department may not accept late applications.

If funds reserved for both types of grants under this section remain after disposition of all timely filed applications for grants, the Department shall ~~remit any funds remaining to the Office of State Budget and Management which shall deposit the funds into the State Fiscal Recovery Reserve. Amounts deposited into the Reserve under this section are receipts that do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.~~

~~If funds reserved for one type of grant under this section remain after disposition of all timely filed applications for that type of grant, the Department shall allocate any funds remaining to the other type of grant allowed under this section. The Department shall, first, fully fund any prorated awards and, second, if funds remain after fully funding prorated awards, reopen the type of grant for which funds become available under this paragraph for additional applications. The additional applications~~ reopen both grants for a second round of applications. The second round of applications must be filed with the Department on or before the deadline prescribed by the Department, which must be at least ~~90~~ 165 days after the effective date of this section but no more than ~~120~~ 195 days after the effective date of this section. Applications from a business that received a grant under the first round of applications are limited to only additional economic loss shown by gross receipts reported pursuant to sub-sub-subdivisions (7)b.2. through 4. of subsection (h) of this section. The Department may not accept late additional applications permitted under this paragraph.

If funds remain for one or both types of grants under this section after disposition of all timely filed applications for the second round, the Department shall distribute the remaining amount for each type of grant by acting according to the following priority:

(1) Disregarding the five hundred thousand dollar ($500,000) cap imposed in subsection (e) of this section for recipient businesses and distributing the remainder proportionately.

(2) Increasing the percentage of economic loss of recipient businesses proportionately until all awards to recipient businesses have reached the economic loss demonstrated in subsection (c) of this section.

(3) Remitting any funds remaining to the Office of State Budget and Management which shall deposit the funds into the State Fiscal Recovery Reserve. Amounts deposited into the Reserve under this section are receipts that do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

"**SECTION 34.3A.(e)** Grant Amount. – The grant amount is equal to the lesser of five hundred thousand dollars ($500,000) or a percentage of the economic loss of the business demonstrated in subsection (c) of this section. For applicants who have not previously received

an award amount, the percentage is equal to twenty percent (20%). For all other applicants, the percentage is equal to ten percent (10%).

"**SECTION 34.3A.(f)** Grant Program Limit. – The total of all funds granted under this Program, including the amounts specifically allowed for administration, marketing, and recruiting, may not exceed five hundred million dollars ($500,000,000), of which two hundred million dollars ($200,000,000) shall be reserved for reimbursement grants. ~~If a business qualifies for both a hospitality grant and a reimbursement grant, the amount of the grant to the business shall be deducted from the amount available for hospitality grants.~~ The Department must calculate the total amount of grants requested from the applications timely filed under subsection (d) of this section. If the total amount of grants requested exceeds the maximum amount of funds available for a type of grant allowed under this subsection, the Department shall ~~do the following:~~

~~(1)~~ ~~For hospitality grants,~~ (i) prioritize and fully fund grants to applicants who have not previously received an award amount and (ii) reduce each grant award to applicants who have previously received an award amount on a proportionate basis.

~~(2)~~ ~~For reimbursement grants, reduce each grant award on a proportionate basis.~~

The Department's grant determinations based on applications timely filed are final.

"**SECTION 34.3A.(g)** Clawback. – If a business receives a grant under this program for which it is ineligible, the business forfeits the grant awarded under this section and is liable for the amounts received. An award forfeited under this section shall bear interest at the rate determined in accordance with G.S. 105-241.21 as of the date of receipt until repaid. Failure to pay an award forfeited shall be collected by a civil action in the name of the State, and the recipient business shall pay the cost of the action. The Attorney General, at the request of the Secretary of Revenue, shall institute the action in the proper court for the collection of the award forfeited, including interest thereon.

"**SECTION 34.3A.(h)** Definitions. – The following definitions apply in this section:

…

(7) Gross receipts. – The sum of the following:

a. The North Carolina gross receipts listed on line 1 of Form E-500, Sales and Use Tax Return, for sales occurring during a specified time period. If a taxpayer did not list gross receipts on line 1 of Form E-500, it may substitute the sum of the receipts listed on lines 4-8 of Form E-500 in place of North Carolina gross receipts listed on line 1 of Form E-500.

b. Gross receipts not listed on Form E-500 but reported on ~~line 1a of Form 1065 for~~ one of the following federal returns, if any, provided the gross receipts are for transactions apportioned to the ~~State.~~State:

1. Line 1a of Form 1065.
2. Line 1a of Form 1120 or Form 1120-S.
3. Line 1 of Form 1040, Schedule C.
4. Line 9 of Form 1040, Schedule F.

…."

SECTION 13A.1.(b) This section is effective when it becomes law and applies to applications received on or after that date.

PART XIV. GENERAL GOVERNMENT OVERSIGHT REPORTING

MODIFY REPORTING LANGUAGE FOR THE DISTRIBUTION OF GRANTS FOR SEXUAL ASSAULT TO BE CONSISTENT WITH THE REPORTING LANGUAGE FOR DISTRIBUTION OF DOMESTIC VIOLENCE GRANTS

SECTION 14.1. G.S. 143B-394.21(c), as amended by Section 37.1(h) of S.L. 2021-180, reads as rewritten:

"(c) ~~The~~ On or before September 1, the North Carolina Council for Women and Youth Involvement shall report on the quarterly distributions of the grants from the Sexual Assault and Rape Crisis Center Fund to the ~~House and Senate chairs of the General Government Appropriations Committee within five business days of distribution. The report shall include the date,~~ chairs of the House Appropriations Committee on General Government, the chairs of the Senate Appropriations Committee on General Government and Information Technology, and the Fiscal Research Division. The report shall include the following:

(1) Date, amount, and recipients of the fund disbursements. ~~The report shall also include any eligible~~

(2) Eligible programs which are ineligible to receive funding during the relative reporting cycle, as well as the reason of the ineligibility for that relative reporting cycle."

PART XV. GENERAL ASSEMBLY

RECEIPT AND CONFIDENTIALITY OF REPORTS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS

SECTION 15.1.(a) G.S. 120-76 reads as rewritten:

"**§ 120-76. Powers and duties of the Commission.**

The Commission shall have the following powers:

…

(16) To receive reports alleging improper activities or matters of public concern listed in G.S. 126-84. The individual making the report may, at the individual's discretion, remain anonymous. Any report received under this subdivision, in whatever form, is confidential, shall not be a public record, as defined by G.S. 132-1, and becomes available to the public only as provided in G.S. 120-131."

SECTION 15.1.(b) G.S. 126-85(c), as amended by Section 27.2(e) of S.L. 2021-180, reads as rewritten:

"(c) The protections of this Article shall include State employees who report any activity described in G.S. 126-84 to the State Auditor as authorized by G.S. 147-64.6B, to the Joint Legislative Commission on Governmental Operations as authorized by G.S. 120-76, or to a legislative committee as required by G.S. 120-19."

SECTION 15.1.(c) This section is effective when it becomes law.

JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS – BEACON/HR PAYROLL SYSTEM ACCESS

SECTION 15.2. G.S. 120-77 reads as rewritten:

"**§ 120-77. Additional powers.**

(a) The Commission, while in the discharge of official duties, shall have access to any paper or document, and may compel the attendance of any State official or employee before the Commission or secure any evidence under the provisions of G.S. 120-19. In addition, the provisions of G.S. 120-19.1 through 120-19.4 shall apply to the proceedings of the Commission as if it were a joint committee of the General Assembly.

(b) Each cochair of the Commission shall designate one Commission staff member who shall have access to the BEACON/HR payroll system."

PART XVI. INFORMATION TECHNOLOGY

DIT TECHNICAL CHANGES

SECTION 16.1.(a) Part XXXVIII of S.L. 2021-180 is amended by adding a new section to read:

"**BROADBAND INFRASTRUCTURE FUNDING CHANGES**

"**SECTION 38.15.** Except as otherwise provided, the Department of Information Technology shall have flexibility to transfer funding between the programs outlined in Section 38.4, Section 38.5, and Section 38.6 of this act, so long as the total allocations for the programs remain the same."

SECTION 16.1.(b) Section 38.5 of S.L. 2021-180, as amended by Section 10.1 of S.L. 2021-189, reads as rewritten:

"**SECTION 38.5.** The Department of Information Technology shall use the funds appropriated in this act ~~from the State Fiscal Recovery Fund~~ for Stopgap Solutions–Federal Broadband Funds to provide grants to internet service providers, local government entities, and nonprofits for the provision and installation of infrastructure, as that term is defined in G.S. 143B-1373(a), that will expand the provision of broadband service to unserved and underserved households in this State. The Department shall ensure that grant funds are awarded and utilized in compliance with applicable federal guidelines. No more than five percent (5%) of the funds described in this section may be granted for broadband projects located in any single county."

SECTION 16.2. G.S. 143B-1373.1(a), as enacted in Section 38.6 of S.L. 2021-180, reads as rewritten:

"(a) As used in this section, the following definitions apply:

…

(3) Eligible area. – An area that is unserved or underserved in a county. ~~A~~ With the exception of funds expended under this section, or under Section 38.4 or Section 38.5 of S.L. 2021-180, a county that has utilized federal funding for broadband infrastructure projects on or after May 1, 2021, is not eligible.

…."

SECTION 16.3. Section 38.10(c) of S.L. 2021-180, as amended by Section 10.2(a) of S.L. 2021-189, reads as rewritten:

"**SECTION 38.10.(c)** The funds appropriated in this act for the Program shall be held by the Department in a special fund and shall not revert to the General Fund but shall remain available to reimburse communications service providers as authorized in this section until December 30, 2026, provided that reimbursements shall comply with applicable federal guidelines for the use of these recovery funds. The Department may use up to one percent (1%) of the funds appropriated for the Program, not to exceed the total sum of two hundred fifty thousand dollars ($250,000) in each fiscal year, to administer the Program. The Department shall issue guidelines for the implementation of the Program."

POLE REPLACEMENT MAKE-READY TIME LINE CHANGES

SECTION 16.4. Section 38.10(g) of S.L. 2021-180 reads as rewritten:

"**SECTION 38.10.(g)** A pole owner shall promptly review a request for access, perform surveys, provide estimates and final invoices, and complete, or require the completion by other attaching entities of, any make-ready work necessary for purposes of offering broadband service in an unserved area. A pole owner shall provide a good-faith estimate for any make-ready costs to the communications service provider within 60 days after receipt of a complete application for access. If requested by the communications service provider, the pole owner shall provide accompanying documentation indicating the basis of all estimated fees or other charges, including, but not limited to, administrative costs, that form the basis of its estimate. A good-faith estimate shall remain valid for 14 days. To accept a good-faith estimate, a communications service provider must provide the pole owner with written acceptance and payment of the good-faith estimate. ~~For a request for access affecting up to 30 utility poles for the purpose of~~

~~providing broadband service to an unserved area, make-ready work shall be completed within 90 days of written acceptance and payment of the good-faith estimate by the communications service provider. For a request for access affecting more than 30 utility poles for the purpose of providing broadband service to an unserved area, make-ready~~ Make-ready work shall be conditioned upon payment of the good-faith estimate and shall be completed within a reasonable time frame mutually agreed to by the communications service provider and the pole owner. A pole owner may treat multiple requests from a single communications service provider as one application for access when the requests are filed within 90 days of one another. A pole owner may deviate from the time limits specified in this subsection during performance of make-ready work for good and sufficient cause that renders it infeasible to complete make-ready work within the time limits specified in this subsection. Any deviation from the time limits specified in this subsection shall extend for a period no longer than necessary. A communications service provider shall promptly be notified, in writing, of the reason for a deviation and the new completion date estimate. A communications service provider shall provide notice, in writing, to the pole owner no later than 14 days after attaching equipment to a pole in an unserved area."

PART XVII. SALARIES AND BENEFITS

DPS/ADULT CORRECTION – ADDITIONAL PAY CLARIFICATION

SECTION 17.2. Part XXXIX of S.L. 2021-180 is amended by adding a new section to read:

"**DPS/ADULT CORRECTION – ADDITIONAL PAY CLARIFICATION**

"**SECTION 39.15B.** To alleviate salary compression among certified personnel working in the Department of Public Safety, Adult Correction Section, the funds appropriated in this act to the Department for Certified Staff Salary Adjustments shall be awarded to each identified employee as two salary adjustments in these two ways:

(1) As a salary increase to employees identified by the Department to receive a salary increase to alleviate salary compression; and

(2) An additional retroactive service bonus payment, paid in the 2021-2022 fiscal year, to identified employees for service provided in the respective position during the 2021-2022 fiscal year. The Department shall calculate this salary adjustment by applying the annualized salary increase provided to the employee in subdivision (1) of this section to the service provided by the employee in the respective position in the 2021-2022 fiscal year prior to the effective date of the increase in subdivision (1)."

NON-DESIGNATED SURVIVING SPOUSE BENEFICIARIES/FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND

SECTION 17.3. G.S. 58-86-55(d1) reads as rewritten:

"(d1) Benefits shall be paid in the following manner when a member is killed in the line of duty and the requirements of Article 12A of Chapter 143 of the General Statutes are met:

(1) If the member had been receiving a monthly pension fund benefit prior to being killed in the line of duty, there shall be paid to the member's principal beneficiary, if only one principal beneficiary is eligible and has not accepted a return of contributions, an amount of one hundred seventy dollars ($170.00) per month beginning the month following the member's month of death, payable until the beneficiary's death. If the member became a member prior to July 1, 2018, and had not designated a principal beneficiary prior to being killed in the line of duty, there shall be paid to the member's living spouse upon the spouse's application to the Board, an amount of one hundred seventy

dollars ($170.00) per month beginning the month following the member's month of death, payable until the spouse's death.

…

(3) If the member had not yet begun receiving a monthly benefit prior to being killed in the line of duty, there shall be paid to the member's principal beneficiary, if only one principal beneficiary is eligible and has not accepted a return of contributions, an amount of one hundred seventy dollars ($170.00) per month beginning the month following the month the member would have attained age 55, or if the member had already attained age 55, beginning the month following the member's month of death, payable until the beneficiary's death. If the member became a member prior to July 1, 2018, and had not designated a principal beneficiary prior to being killed in the line of duty, there shall be paid to the member's living spouse upon the spouse's application to the Board, an amount of one hundred seventy dollars ($170.00) per month beginning the month following the month the member would have attained age 55, or if the member had attained age 55, beginning the month following the member's month of death, payable until the spouse's death.

…."

ADDITIONAL FUNDS FOR PUBLIC SAFETY EMPLOYEES' DEATH BENEFITS

SECTION 17.4. Section 39.2(j) of S.L. 2021-180 reads as rewritten:

"**SECTION 39.2.(j)** ~~Any~~ For the 2021-2022 fiscal year only, the Office of State Budget and Management shall transfer up to one million two hundred thousand dollars ($1,200,000) of the funds remaining after these bonuses are awarded in accordance with this section ~~shall be credited to the State Fiscal Recovery Fund.~~to the Department of State Treasurer, as needed and to the extent allowed under federal law, to pay for line of duty death benefits awarded by the Industrial Commission under Article 12A of Chapter 143 of the General Statutes. Any funds remaining after bonuses are awarded and funds are transferred in accordance with this section shall be credited to the State Fiscal Recovery Fund."

PART XVIII. CAPITAL

SCIF GRANT CHANGES

SECTION 18.1. Section 40.17 of S.L. 2021-180, as enacted by Section 9.1(d) of S.L. 2021-189, reads as rewritten:

"**SECTION 40.17.(a)** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, the following grants and funds allocated from the State Capital and Infrastructure Fund are amended as follows:

…

(22) The funds to the Town of Valdese in the sum of five hundred thousand dollars ($500,000) for the 2021-2022 fiscal year may also be used for capital improvements or repairs and renovations.

(24) The funds for Historic Hope David Stone House in the sum of two hundred fifty thousand dollars ($250,000) for the 2021-2022 fiscal year may also be used for the repair and renovation of the historic buildings on its property in Bertie County.

(25) The funds to the Town of Spindale in the sum of five hundred thousand dollars ($500,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Rutherford County for the expansion of the Town of Spindale EMS base.

(26) The funds to the Town of Columbus in the sum of nine million five hundred thousand dollars ($9,500,000) for the 2021-2022 fiscal year shall instead be

provided as a grant to Columbus County for capital improvements, subject to the requirements provided in Section 40.16 of this act.

(27) The funds to Brunswick County for Ryley's Ranch Playground in the sum of one million dollars ($1,000,000) for the 2021-2022 fiscal year shall instead be provided as a grant to the Town of Varnamtown for an all-inclusive playground to be named Ryley's Ranch Playground.

(28) The funds to New Hanover County for SEATech in the sum of four million dollars ($4,000,000) for the 2021-2022 fiscal year shall instead be provided as a grant to New Hanover County Schools for capital improvements at Southeast Area Technical High School.

(29) The funds to Yadkin County in the sum of one million five hundred thousand dollars ($1,500,000) for the 2021-2022 fiscal year may be used for renovations.

(30) The funds to the Town of Coats in the sum of seventy thousand dollars ($70,000) for the 2021-2022 fiscal year shall instead be provided in the form of grants as follows:

a. Forty thousand dollars ($40,000) for the 2021-2022 fiscal year to the Town of Coats for capital improvements.

b. Thirty thousand dollars ($30,000) for the 2021-2022 fiscal year to the Coats Area Chamber of Commerce, Inc., a nonprofit corporation, for renovation of the community building.

(31) The funds to Senior Resources of Guilford in the sum of one hundred thousand dollars ($100,000) for the 2021-2022 fiscal year shall be provided as a grant to Senior Resources of Guilford for ongoing program support.

(32) The funds to the Community of Ash in the sum of three hundred thousand dollars ($300,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Brunswick County for capital improvements, subject to the requirements provided in Section 40.16 of this act.

(33) The funds to the Town of Fairfield in the sum of seventy-five thousand dollars ($75,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Fairfield Mountains Volunteer Fire Department, Inc., a nonprofit corporation, for expansion of the fire/EMS facility.

(34) The funds to Swain County for street lighting and sidewalk improvements in the sum of two hundred thousand dollars ($200,000) for the 2021-2022 fiscal year shall instead be provided as a grant to the Town of Bryson City to be used for street lighting and sidewalk improvements.

(35) The funds for Scotland Neck Senior Center in the sum of two hundred fifty thousand dollars ($250,000) for the 2021-2022 fiscal year shall instead be provided to the Town of Scotland Neck to be used for repairs and renovation of the senior center.

(36) The funds for the Acme-McCrary Textile Mill in the sum of one million five hundred thousand dollars ($1,500,000) for the 2021-2022 fiscal year may be used to purchase property related to the renovation of the mill.

(37) The funds for Cooleemee RiverPark Bridge in the sum of two hundred fifty thousand dollars ($250,000) for the 2021-2022 fiscal year shall instead be provided to RiverPark at Cooleemee Falls, Inc., a nonprofit corporation, for a new pedestrian bridge at Cooleemee RiverPark.

(38) The funds for Martin and Edgecombe Counties in the sum of five hundred thousand dollars ($500,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Opportunities Industrialization Center, Inc., a nonprofit corporation in Rocky Mount, to be used for a mobile medical unit.

(39) The funds to the Town of Dover in the sum of one hundred thirty-five thousand dollars ($135,000) for the 2021-2022 fiscal year may also be used for the construction of a new community center.

(40) The funds to the Piedmont Triad Charitable Foundation in the sum of five hundred thousand dollars ($500,000) may also be used to offset expenditures incurred for the purpose of the grant prior to July 1, 2021.

(41) The funds for Big Hungry Dam in the sum of seven million five hundred thousand dollars ($7,500,000) for the 2021-2022 fiscal year shall instead be provided to Friends of the Ecusta Trail, Inc., a nonprofit corporation, to be used for the removal of the Big Hungry Dam.

(42) The funds for Halifax Community College Manufacturing Center in the sum of one million nine hundred forty-nine thousand three hundred eighty-four dollars ($1,949,384) for the 2021-2022 fiscal year may be used for replacement of the water line/water loop on campus.

(43) The funds to the Town of Sylva in the sum of three million dollars ($3,000,000) for the 2021-2022 fiscal year shall be used for Bryson Park capital improvements and playground equipment.

(44) The funds to the City of Lumberton for one million five hundred thousand dollars ($1,500,000) for the 2021-2022 fiscal year may also be used for other infrastructure.

(45) The funds for Jones County Library in the sum of one hundred thousand dollars ($100,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Jones County Public Library for the renovation of the public library.

(46) The funds to Mayland Community College of Avery County in the sum of four million dollars ($4,000,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Mayland Community College Foundation, Inc., a nonprofit corporation, to be used for improvements to Three Peaks Enrichment Center.

(47) The funds for Richmond Community College Truck Driver Training Project in the sum of one million five hundred thousand dollars ($1,500,000) for the 2021-2022 fiscal year shall be used for a truck driver training program.

(48) The funds for Woodlake Dam in the sum of nine million six hundred thousand dollars ($9,600,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Woodlake Property Owners Association, Inc., a nonprofit corporation, for repairs to Woodlake Dam.

(49) The funds for Randolph County Hospital Psychiatric Unit in the sum of four million dollars ($4,000,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Randolph County to be used for healthcare.

(50) The funds for Carteret Community College Culinary Program in the sum of one million dollars ($1,000,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Carteret Community College to be used for capital improvements.

(51) The funds for the Town of Falcon in the sum of fifty-five thousand dollars ($55,000) for the 2021-2022 fiscal year may be used for capital improvements, subject to the requirements provided in Section 40.16 of this act.

(52) The funds for Davidson-Davie Community College in the aggregate sum of sixteen million two hundred thousand dollars ($16,200,000) for the 2021-2022 fiscal year shall instead be provided to Davidson-Davie Community College to be used for the construction of the Davidson-Davie Community College Regional Training and Distribution Center which will be used for emergency response and public health.

(53) The funds for Catawba Valley Community College Regional Building in the sum of seven million five hundred thousand dollars ($7,500,000) for each year of the 2021-2023 fiscal biennium shall instead be provided to the City of Hickory for the construction of a new regional advising center and flexible use space for educational training at Catawba Valley Community College.

(54) The funds for the Town of Lake Waccamaw in the sum of two million five hundred thousand dollars ($2,500,000) for the 2021-2022 fiscal year shall instead be provided as a grant to Columbus County for pedestrian and bike trails to be constructed in and adjacent to Lake Waccamaw State Park.

(55) The funds for Nikwasi Town Cherokee Settlement in the sum of seven hundred thirteen thousand four hundred dollars ($713,400) for the 2021-2022 fiscal year shall instead be provided as follows:

a. A grant in the sum of six hundred thousand dollars ($600,000) to Mainspring Conservation Trust, Inc., a nonprofit corporation, for the purchase of approximately 0.6 acres at the site of the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County with a conservation and preservation easement to be held by the Department of Natural and Cultural Resources.

b. A grant in the sum of one hundred thirteen thousand four hundred dollars ($113,400) to the Department of Natural and Cultural Resources for the purchase of a conservation and preservation easement of approximately 0.7 acres at the site of the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County.

(56) The funds for Pamlico County Library in the sum of three hundred thirty-three thousand three hundred thirty-three dollars ($333,333) for the 2021-2022 fiscal year may be used for capital and equipment purposes at the Pamlico County Library.

(57) The funds for Severn Fire Department for three hundred fifty thousand dollars ($350,000) for the 2021-2022 fiscal year may be used for the purchase of a fire truck and fire truck equipment.

"**SECTION 40.17.(b)** Notwithstanding any provision of law or the Committee Report referenced in Section 43.2 of this act to the contrary, there is appropriated from the State Capital and Infrastructure Fund to the Office of State Budget and Management the following amounts for the following purposes:

…

(2) The sum of one million five hundred thousand dollars ($1,500,000) in nonrecurring funds for the 2021-2022 fiscal year to be allocated in the form of a grant to the City of Lenoir to be used ~~for water and sewer projects.~~for the following:

a. Seven hundred fifty thousand dollars ($750,000) for greenway expansion.

b. Seven hundred fifty thousand dollars ($750,000) for downtown improvements.

…."

WATER RESOURCES DEVELOPMENT CHANGES

SECTION 18.2. Section 40.3 of S.L. 2021-180 is amended by adding a new subsection to read:

"**SECTION 40.3.(f)** Notwithstanding any other provision of law to the contrary, there shall be no local match required for the North Topsail Beach Shoreline Protection – Phases 1-4 project referenced in subsection (b) of this section."

LOCAL GOVERNMENT SCIF GRANT USE CLARIFICATION

SECTION 18.3. Section 40.16 of S.L. 2021-180 reads as rewritten:

"**SECTION 40.16.** Funds appropriated from the State Capital and Infrastructure Fund for Local Government Infrastructure Grants, as identified in the Committee Report referenced in Section 43.2 of this act, shall be used exclusively for property owned by the grant recipient city, ~~county, or~~ county, regional council of ~~government.~~government, or any local government member of a regional council of government. Funds may also be used by the grant recipient for the purchase of real property, acquisition of easements, and the purchase of equipment and vehicles."

COMMUNITY COLLEGES CAPITAL PROJECT EFFECTIVE DATE CHANGE

SECTION 18.4. Section 40.6 of S.L. 2021-180 reads as rewritten:

"**SECTION 40.6.(a)** G.S. 143-341 reads as rewritten:

"**§ 143-341. Powers and duties of Department.**

…

"**SECTION 40.6.(b)** This section becomes effective July 1, 2022."

PART XIX. TRANSPORTATION

SPECIAL REGISTRATION PLATES FOR SUPERIOR COURT CLERKS

SECTION 19.1.(a) G.S. 20-79.4 reads as rewritten:

"**§ 20-79.4. Special registration plates.**

…

(b) Types. – The Division shall issue the following types of special registration plates:

…

~~(47) Clerk of Superior Court. – Expired July 1, 2016.~~

…."

SECTION 19.1.(b) G.S. 20-79.6 reads as rewritten:

"**§ 20-79.6. Special registration plates for members of the judiciary.**

…

(b1) Clerk of Superior Court. – A special plate issued to a clerk of superior court shall bear the words "Clerk Superior Court" and the letter "C" followed by a number indicative of the county the clerk serves. Special plates issued to retired clerks of superior court shall bear a number indicating the clerk's county of service at the time of retirement followed by the letter "X" to indicate the clerk's retired status.

…."

CORRECTIONS AND REVISIONS TO THE DEPARTMENT OF TRANSPORTATION COMMITTEE REPORT

SECTION 19.2. S.L. 2021-180 is amended by adding a new section to read:

"**CORRECTIONS AND REVISIONS TO THE DEPARTMENT OF TRANSPORTATION COMMITTEE REPORT**

"**SECTION 41.62.** Notwithstanding any provision of law or the Committee Report described in Section 43.2 of this act to the contrary, for the 2021-2022 fiscal year:

(1) The sum of fifty thousand dollars ($50,000) in nonrecurring funds appropriated from the State Emergency Response and Disaster Relief Fund (SERDRF) to the Department of Transportation for the purpose of addressing waterflow issues from the roadwork upstream from the Town of Aberdeen

and to repair the dam in front of the Bethesda Presbyterian Church shall be directed to the Bethesda Presbyterian Church for that same purpose.

(2) The sum of seven hundred fifty thousand dollars ($750,000) in nonrecurring funds appropriated from the State Emergency Response and Disaster Relief Fund (SERDRF) to the Department of Transportation for the Town of Princeton shall be used for drainage improvement expenditures at Princeton High School.

(3) The sum of fourteen million eight hundred ninety-six thousand five hundred sixty-seven dollars and eighteen cents ($14,896,567.18) in nonrecurring funds shall be substituted for the sum of fifteen million eight hundred thousand dollars ($15,800,000) in nonrecurring funds for the "Ferry Revenues – Route Specific Fund Codes," and the net change shall be adjusted accordingly."

FERRY CAPITAL SPECIAL FUND/ENCUMBERED FUNDS

SECTION 19.3. G.S. 136-82(h), as enacted by Section 41.15(a) of S.L. 2021-180, reads as rewritten:

"(h) Transfer of Funds. – Notwithstanding G.S. 136-44.2(f), G.S. 136-44.2(f1), and any other provision of law to the contrary, beginning with the 2021-2022 fiscal year, no later than 45 days after the first day of the fiscal year, the Department of Transportation shall transfer from the Highway Fund ~~to the Ferry Systemwide fund code of the Ferry Capital Special Fund all unexpended funds for the Ferry Division's budget from the prior fiscal year.~~to the Ferry Capital Special Fund all unexpended funds appropriated to the Ferry Division's budget from the prior fiscal year. Any funds categorized as unencumbered shall be deposited in the Ferry Systemwide fund code. Any funds categorized as encumbered shall be deposited into a specified fund code for encumbrances."

PART XX. OTHER CORRECTIONS

TREATMENT FACILITY OPERATOR CERTIFICATION RECIPROCITY

SECTION 20.1.(a) G.S. 90A-25 reads as rewritten:

"**§ 90A-25. Issuance of certificates.**

(a) The Board shall issue a certificate to an applicant who meets the requirements for certification and pays the required fee. The certificate shall state the grade of certification appropriate for the classification of water treatment facilities the applicant is qualified to operate.

(b) ~~Certificates may be issued,~~ The board shall issue a certificate, without examination, in a comparable grade to any person who holds a certificate in any state, territory or possession of the United States, if in the judgment of the Board of Certification the requirements for operators under which the person's certificate was issued ~~do not conflict with the provisions of this Article, and~~ are of a standard not lower than that specified under rules and regulations adopted under this Article.

…."

SECTION 20.1.(b) G.S. 90A-40 reads as rewritten:

"**§ 90A-40. Issuance of certificates.**

…

(b) A certificate ~~may~~ shall be issued in an appropriate grade without examination to any person who is properly registered on the "National Association of Boards of Certification" reciprocal registry and who meets all other requirements of rules adopted under this Article.

…."

LAKE LURE/REGULATE PILINGS IN LAKE LURE

SECTION 20.2.(a) The Town of Lake Lure may make, adopt, and enforce ordinances regulating the installation, location, condition, and removal of the pilings of any dock, pier, or similar structure driven down into the lake bed of Lake Lure, a navigable body of water owned by the Town and located within the Town's municipal limits. The Town may provide for the enforcement of ordinances adopted under the authority of this section in accordance with G.S. 160A-175. Duly sworn law enforcement officers of the Town shall have the authority to enforce any ordinances adopted under the authority of this section.

SECTION 20.2.(b) In the event of conflict between any local ordinance adopted under the authority of this section and the rules or regulations of the Wildlife Resources Commission, the Department of Environmental Quality, the United States Coast Guard, or the United States Army Corps of Engineers, the State or federal rule or regulation shall supersede and prevail over the local ordinance to the extent of the conflict.

CLEVELAND COMMUNITY COLLEGE LAND TRANSFER CORRECTION

SECTION 20.4.(a) Section 1 of S.L. 2012-177, as amended by Section 1 of S.L. 2014-19 and Section 10.7(a) of S.L. 2016-94, reads as rewritten:

"**SECTION 1.** The State of North Carolina shall convey to the Board of Trustees of Cleveland Community College, for consideration of one dollar ($1.00), all its right, title, and interest in the property used for the former Cleveland County Correctional Facility, more particularly described as that portion of Parcel 22252 Cleveland County, deed reference Book 4F, Page 064, consisting of approximately ~~13.25~~ 12.60 acres and access easement, currently allocated to the Department of Public Safety, Division of Adult Corrections, SPO File No. 23-008. The conveyance is subject to a reversionary interest reserved by the State. The property shall be conveyed to the Board of Trustees of Cleveland Community College for so long as it is utilized for educational purposes consistent with the mission of the North Carolina Community College System."

SECTION 20.4.(b) This section is effective when it becomes law.

REPEAL MINIMUM VOTING PLACE REQUIREMENT/MITCHELL COUNTY

SECTION 20.6. S.L. 1997-183 is repealed.

ADJUSTMENTS TO 2022 DELAYED MUNICIPAL ELECTIONS AND SECOND PRIMARY SCHEDULE

SECTION 20.6A.(a) Section 1(e) of S.L. 2021-56 reads as rewritten:

"**SECTION 1.(e)** Date of Municipal Election. – With respect to any elected office with an election delayed to 2022 in accordance with this act, the following dates of election shall apply:

(1) For any municipality elected by the partisan primary and election method, the primary shall be ~~March 8, 2022,~~ May 17, 2022, and the general election shall be on ~~the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on April 26, 2022.~~ July 26, 2022. No second primary shall be held for these offices in 2022.

(2) For any municipality elected by the nonpartisan primary and election method, the primary shall be ~~March 8, 2022,~~ May 17, 2022, and the general election shall be held on ~~the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on April 26, 2022.~~July 26, 2022.

(3) For any municipality elected by the nonpartisan plurality method, the date of the election shall be ~~March 8, 2022.~~May 17, 2022.

(4) For any municipality elected by the nonpartisan elections and runoff method, the election shall be ~~March 8, 2022,~~ May 17, 2022, and the runoff election shall be held on ~~the date of any second primary held under G.S. 163-111. If~~

~~no second primary is held under G.S. 163-111, the runoff election shall be on April 26, 2022.~~July 26, 2022."

SECTION 20.6A.(b) Section 1.5 of S.L. 2021-56 is repealed.

SECTION 20.6A.(c) G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. – If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held 10 weeks after the first ~~primary if any of the offices for which a second primary is required are for a candidate for the office of United States Senate or member of the United States House of Representatives. Otherwise, the second primary shall be held seven weeks after the first~~ primary.

~~There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to~~ Subject to G.S. 163-82.6 and G.S. 163-82.6A, persons who register ~~and~~ to vote ~~mature~~ after the day of the first primary ~~and before the day of the second primary may register on the day of the second primary and, when thus registered,~~ shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely written affirmation of change of address within the county under the provisions of G.S. 163-82.15, in the first primary may vote in the second primary without having to refile that written affirmation if the voter is otherwise qualified to vote in the second primary. Notwithstanding G.S. 163-82.17, no person shall be permitted to change party affiliation or unaffiliated status between the date of a primary and a second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

SECTION 20.6A.(d) G.S. 163-82.6(f) reads as rewritten:

"(f) Instances When Person May Register and Vote on Primary or Election Day. – If a person has become qualified to register and vote between the twenty-fifth day before a primary or election and primary or election day, then that person may apply to register on primary or election day by submitting an application form described in G.S. 163-82.3(a) or (b) to:

(1) A member of the county board of elections;
(2) The county director of elections; or
(3) The chief judge or a judge of the precinct in which the person is eligible to vote,

and, if the application is approved, that person may vote the same day. The official in subdivisions (1) through (3) of this subsection to whom the application is submitted shall decide whether the applicant is eligible to vote. The applicant shall present to the official written or documentary evidence that the applicant is the person he represents himself to be. The official, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to that official as to the applicant's qualifications. If the official determines that the person is eligible, the person shall be permitted to vote in the primary or election and the county board shall add the person's name to the list of registered voters. If the official denies the application, the person shall be permitted to vote a challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to the full county board of elections. The State Board of Elections shall promulgate rules for the county boards of elections to follow in hearing appeals for denial of primary or election day applications to register. ~~No person shall be permitted to register on the day of a second primary unless he shall have become qualified to register and vote between the date of the first primary and the date of the succeeding second primary.~~"

SECTION 20.6A.(e) G.S. 163-302(b) reads as rewritten:

"(b) The provisions of Articles 20 and 21 of this Chapter shall apply to absentee voting in municipal elections, special district elections, and other elections for an area less than an entire county other than elections for the General Assembly, except that the earliest date by which absentee ballots shall be required to be available for absentee voting in such elections shall be 30 days prior to the primary or election or as quickly following the filing deadline ~~specified in~~

~~G.S. 163-291(2) or G.S. 163-294(c)~~ as the county board of elections is able to secure the official ballots. In elections on incorporation of a municipality not held at the same time as another election in the same area, the county board of elections shall adopt a special schedule of meetings of the county board of elections to approve absentee ballot applications so as to reduce the cost of the process, and to further implement the last paragraph of G.S. 163-230(2)a. If no application has been received since the last meeting, no meeting shall be held of the county board of elections under such schedule unless the meeting is scheduled for another purpose. If another election is being held in the same area on the same day, or elsewhere in the county, the cost of per diem for meetings of the county board of elections to approve absentee ballots shall not be considered a cost of the election to be billed to the municipality being created."

SECTION 20.6A.(f) Subsections (a) and (b) of this section are effective when they become law. The remainder of this section is effective when it becomes law and expires on August 1, 2022.

GRANT PROGRAM TAX DEDUCTIONS

SECTION 20.7.(a) G.S. 105-130.5(b) reads as rewritten:

"(b) The following deductions from federal taxable income shall be made in determining State net income:

…

(31a) To the extent included in federal taxable income, the amount received by a taxpayer ~~under~~ for one or more of the following:

a. The Business Recovery Grant Program.

b. The ReTOOLNC grant program for recovery from the economic impacts of the COVID-19 pandemic.

c. Rent and utility assistance pursuant to Section 3.3 of S.L. 2020-4, as amended by Section 1.2 of S.L. 2020-97."

SECTION 20.7.(b) G.S. 105-153.5(b) reads as rewritten:

"(b) Other Deductions. – In calculating North Carolina taxable income, a taxpayer may deduct from the taxpayer's adjusted gross income any of the following items that are included in the taxpayer's adjusted gross income:

…

(14a) The amount received by a taxpayer ~~under~~ for one or more of the following:

a. The Business Recovery Grant Program.

b. The ReTOOLNC grant program for recovery from the economic impacts of the COVID-19 pandemic.

c. Rent and utility assistance pursuant to Section 3.3 of S.L. 2020-4, as amended by Section 1.2 of S.L. 2020-97.

…."

SECTION 20.7.(c) This section is effective for taxable years beginning on or after January 1, 2020, and applies to amounts received by a taxpayer on or after that date.

CLARIFY GENERAL CONTRACTOR/PLUMBING AND HEATING CONTRACTOR/ELECTRICAL CONTRACTOR LICENSURE EXCEPTION IMPLEMENTATION RULEMAKING AUTHORITY

SECTION 20.9.(a) G.S. 87-1.1, as amended by S.L. 2021-122, reads as rewritten:

"**§ 87-1.1. Exception for licensees under Article 2 or 4.**

G.S. 87-1 shall not apply to a licensee under Article 2 or 4 of this Chapter of the General Statutes, G.S. 87-43 shall not apply to a licensee under Article 2 of this Chapter of the General Statutes, and G.S. 87-21(a)(5) shall not apply to a licensee under Article 4 of this Chapter of the General Statutes when the licensee is bidding and contracting directly with the owner of a building project if all of the following apply:

(1) A licensed general contractor performs all work that falls within the classifications in G.S. 87-10(b) and the State Licensing Board of General Contractor's rules.
(2) The total amount of the general contracting work so classified does not exceed a percentage of the total bid price pursuant to rules established by the Board.
(3) A licensee with the appropriate license under Article 2 or Article 4 of this Chapter performs all work that falls within the classifications in Article 2 and Article 4 of this Chapter.
(4) The total amount of the work under the classifications in Article 2 of this Chapter does not exceed a percentage of the total bid price pursuant to rules established by the State Board of Examiners of Electrical Contractors.
(5) The total amount of the work under the classifications in Article 4 of this Chapter does not exceed a percentage of the total bid price pursuant to rules established by the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors."

SECTION 20.9.(b) This section is effective when it becomes law. The State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors and the State Board of Examiners of Electrical Contractors may adopt temporary rules to implement the provisions of this section, including limiting the percentage of the total bid price of work falling under the classifications in Articles 2 and 4 of Chapter 87 of the General Statutes that can be bid by licensees holding a license from that Board.

COMMERCIAL AND RESIDENTIAL SPACES AIR DUCT INSULATION TEMPORARY REQUIREMENTS

SECTION 20.10.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council, "Code" means the North Carolina Residential Code and amendments to the Code as adopted by the Council, and "Residential Spaces Insulation Rule" means Section N1103.3.1 of the 2018 North Carolina Residential Code for One- and Two-Family Dwellings, incorporating R403.3.1 of the 2018 North Carolina Energy Conservation Code.

SECTION 20.10.(b) Code Amendment. – Until the effective date of the temporary rule that the Council is required to adopt pursuant to this section, the Council, Code enforcement official, or fire code official enforcing the Code shall follow the provisions of this subsection instead of the Residential Spaces Insulation Rule with respect to minimal insulation requirements for supply and return air ducts located in ventilated or non-ventilated unconditioned spaces. Supply and return air ducts located in ventilated or non-ventilated unconditioned spaces shall be insulated to a minimum R-4.2.

SECTION 20.10.(c) Additional Rulemaking Authority. – The Council shall adopt temporary rules to amend the Residential Spaces Insulation Rule consistent with subsection (b) of this section. Notwithstanding G.S. 150B-19(4), rules adopted by the Council pursuant to this subsection shall be substantively identical to the provisions of subsection (b) of this section.

SECTION 20.10A.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council, "Code" means the North Carolina Energy Conservation Code and amendments to the Code as adopted by the Council, and "Commercial Spaces Insulation Rule" means C403.2.9 of the 2018 North Carolina Energy Conservation Code.

SECTION 20.10A.(b) Code Amendment. – Until the effective date of the temporary rule that the Council is required to adopt pursuant to this section, the Council, Code enforcement official, or fire code official enforcing the Code shall follow the provisions of this subsection as it relates to the Commercial Spaces Insulation Rule with respect to the minimal insulation requirements for supply and return air ducts located in ventilated or non-ventilated unconditioned spaces in Climate Zones 3 through 5. Supply and return air ducts located in ventilated or

non-ventilated unconditioned spaces shall be insulated with a minimum of R-4 insulation in Climate Zones 3 and 4 and a minimum of R-6 insulation in Climate Zone 5.

SECTION 20.10A.(c) Additional Rulemaking Authority. – The Council shall adopt temporary rules to amend the Commercial Spaces Insulation Rule consistent with subsection (b) of this section. Notwithstanding G.S. 150B-19(4), rules adopted by the Council pursuant to this subsection shall be substantively identical to the provisions of subsection (b) of this section.

SECTION 20.10B.(a) Rule Expiration. – Notwithstanding G.S. 150B-21.1(d), temporary rules adopted by the Council pursuant to Section 20.10 and Section 20.10A shall expire two years after the date this section becomes law.

SECTION 20.10B.(b) Effective Date. – Section 20.10, Section 20.10A, and Section 20.10B of this act are effective when they become law.

RAPID RECOVERY LOAN PROGRAM REVISIONS

SECTION 20.11.(a) Section 4.2 of S.L. 2020-4, as amended by Section 1.6 of S.L. 2020-97, reads as rewritten:

"**SECTION 4.2.(a)** Program. – Of the funds allocated in subdivision (45) of Section 3.3 of this act, Golden LEAF shall provide grants to entities for the purpose of making emergency loans to assist small businesses with business needs during periods of economic hardship occasioned by the COVID-19 pandemic. It is the intent of the General Assembly for an equitable portion of funds allocated in this section to be used for the benefit of historically underutilized small businesses. The following shall apply to the program and loans made under the program:

…

(4) ~~The~~ Except as provided in subdivision (9a) of this subsection, the loan shall have an interest rate of up to four percent (4%) before the date of a triggering event and an interest rate of at least five and one-half percent (5.5%) on and after the date of a triggering event.

(5) ~~The~~ Except as provided in subdivision (9a) of this subsection, the term of the loan shall not exceed 120 months and shall be amortized over the term of the loan.

…

(8) Upon the occurrence of a triggering event, repayment of the loan shall commence. A triggering event occurs at the time specified in the loan documents, provided it is not more than 18 months following the closing of a loan made under the program.

…

(9a) A lender, as authorized by Golden LEAF, may take prudent and commercially reasonable efforts to remedy a default, a likelihood of default, or bankruptcy filing by a business, including restructuring the terms of a loan and entering into settlement agreements, provided that the following requirements are met:

a. The interest rate is not reduced below prime rate.

b. The term of the loan is not extended by more than 36 months.

…

"**SECTION 4.2.(b)** Definitions. – For purposes of this section, the following definitions apply:

…

(5a) Prime rate. – The interest rate that a commercial bank holds out as its lowest rate for a loan with less than a 36-month term to its most creditworthy borrowers.

…

"**SECTION 4.2.(c)** Miscellaneous. – In order to receive the funds appropriated under this act, Golden LEAF shall provide matching funds from other non-State funds for such funds in the

amount of fifteen dollars ($15.00) of non-State funds for every one hundred twenty-five dollars ($125.00) of State funds allocated in this section. State funds allocated in this section may be matched with any prior expenditure by Golden LEAF of non-State funds for entities making short-term loans to businesses during periods of economic hardship occasioned by the COVID-19 pandemic. On ~~the date the authority to award new loans using State funds appropriated in this section ceases~~ or before March 15, 2022, and every six months thereafter, Golden LEAF shall remit the net loan funds that have been received to the Office, which shall deposit the funds into the Coronavirus Relief Reserve. Amounts deposited into the Reserve under this subsection are receipts that do not constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution. Section 1.5 of this act does not apply to this section.

"**SECTION 4.2.(d)** Reporting. – ~~Every six months,~~ Golden LEAF shall submit a report on the program to the Joint Legislative Economic Development and Global Engagement Oversight Committee and the Fiscal Research ~~Division. The duty to report pursuant to this section shall cease after the submission of the report following when~~ Division on or before March 15, 2022, and every six months thereafter until Golden LEAF has remitted the entirety of the net loan funds to the Office. Each report shall contain all of the following:

…."

SECTION 20.11.(b) This section is effective when it becomes law and applies retroactively to all loans made under the program.

MILITARY TRAINING ANNUAL REPORT CLARIFICATION

SECTION 20.12.(a) G.S. 93B-2 reads as rewritten:

"**§ 93B-2. Annual reports required; contents; open to inspection; sanction for failure to report.**

(a) No later than October 31 of each year, each occupational licensing board shall file electronically with the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee an annual report containing all of the following information:

…

(9c) The number of applicants ~~with military training,~~ who are active duty military or military veterans, the number granted a license, the number denied a license for any reason, and a summary of the reasons for denial. The information provided in accordance with this subdivision shall not disclose any identifying information of any applicant.

…

(e) No later than October 31 of each year, each State agency licensing board shall file electronically with the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee an annual report containing all of the following information:

…

(3) The number of applicants ~~with military training,~~ who are active duty military or military veterans, the number granted a license, the number denied a license for any reason, and a summary of the reasons for denial. The information provided in accordance with this subdivision shall not disclose any identifying information of any applicant.

…."

SECTION 20.12.(b) This section is effective when it becomes law.

AUTHORIZE THE UTILITIES COMMISSION TO ADOPT PROCEDURES TO ALLOW LESSORS WHO PROVIDE WATER AND SEWER SERVICE TO LESSEES

IN CERTAIN DWELLINGS TO CHARGE FOR THE COST OF THE SERVICE IN THE SAME MANNER AS ELECTRIC SERVICE AND NATURAL GAS SERVICE

SECTION 20.13.(a) G.S. 62-110 reads as rewritten:

"**§ 62-110. Certificate of convenience and necessity.**

…

(g) In addition to the authority to issue a certificate of public convenience and necessity and establish rates otherwise granted in this Chapter, for the purpose of encouraging water conservation, the Commission may, consistent with the public interest, adopt procedures that allow a lessor of any leased residential premises, as that term is defined under G.S. 42-59(3), to charge for the costs of providing water or sewer service to persons who occupy the leased premises. The following provisions shall apply:

(1) ~~All~~ Except as provided in subdivisions (1a), (1b), and (1c) of this subsection, all charges for water or sewer service shall be based on the user's metered consumption of water, which shall be determined by metered measurement of all water consumed. The rate charged by the lessor shall not exceed the unit consumption rate charged by the supplier of the service.

…

(1b) Notwithstanding the provisions of subdivisions ~~(1) and (1a)~~ (1), (1a), and (1c) of this subsection, if the Commission approves a flat rate to be charged by a water or sewer utility for the provision of water or sewer services to contiguous dwelling units, the lessor may pass through and charge the tenants of the contiguous dwelling units the same flat rate for water or sewer services, rather than a rate based on metered consumption, and an administrative fee as authorized in subdivision (2) of this subsection. Bills for water and sewer service sent by the lessor to the lessee shall contain all the information required by sub-sub-subdivisions e.2. through e.5. of subdivision (1a) of this subsection.

(1c) The lessor may equally divide the amount of the water and sewer bill for a unit among all the lessees in the unit and may send one bill to each lessee. The amount charged shall be prorated when a lessee has not leased the unit for the same number of days as the other lessees in the unit during the billing period. Each bill may include an administrative fee up to the amount of the then-current administrative fee authorized by the Commission in Rule 18-6 for water service and, when applicable, a late fee in an amount determined by the Commission. The lessor shall not charge the cost of water and sewer from any other unit or common area in a lessee's bill sent pursuant to this subdivision.

…

(h) In addition to the authority to issue a certificate of public convenience and necessity and establish rates otherwise granted in this Chapter, the Commission may, consistent with the public interest, adopt procedures that allow a lessor of ~~a single-family dwelling, residential building, or multiunit apartment complex~~ any leased residential premises, as that term is defined under G.S. 42-59(3), that has individually metered units for electric service in the lessor's name to charge for the actual costs of providing electric service to each lessee. The following provisions shall apply to the charges authorized under this subsection:

…

(i) In addition to the authority to issue a certificate of public convenience and necessity and establish rates otherwise granted in this Chapter, the Commission may, consistent with the public interest, adopt procedures that allow a lessor of ~~single-family dwelling, a residential building, or multiunit apartment complex~~ any leased residential premises, as that term is defined under G.S. 42-59(3), that has individually metered units for natural gas service in the lessor's

name to charge for the actual costs of providing natural gas service to each lessee. The following provisions shall apply to the charges authorized under this subsection:

…."

SECTION 20.13.(b) This section is effective when it becomes law.

ALLOW STATE INCOME TAX DEDUCTION FOR EMPLOYERS WHO TOOK THE FEDERAL PAYROLL TAX CREDIT FOR EMPLOYEE RETENTION IN LIEU OF A FEDERAL INCOME TAX DEDUCTION WHERE NORTH CAROLINA HAS NO SIMILAR TAX CREDIT

SECTION 20.15.(a) G.S. 105-153.5(b) is amended by adding a new subdivision to read:

"(11a) The amount by which the deduction for an ordinary and necessary business expense was required to be reduced or was not allowed under the Code because the taxpayer claimed a federal employee retention tax credit against employment taxes in lieu of a deduction. This deduction is allowed only to the extent that a similar credit is not allowed by this Chapter for the amount."

SECTION 20.15.(b) G.S. 105-130.5(b) is amended by adding a new subdivision to read:

"(11a) The amount by which the deduction for an ordinary and necessary business expense was required to be reduced or was not allowed under the Code because the taxpayer claimed a federal employee retention tax credit against employment taxes in lieu of a deduction. This deduction is allowed only to the extent that a similar credit is not allowed by this Chapter for the amount."

SECTION 20.15.(c) This section is effective retroactively for taxable years beginning on or after January 1, 2020.

SURPLUS RAIL AND FERRY EQUIPMENT

SECTION 20.16.(a) No later than May 1, 2022, the State agency for State surplus property shall establish a method for disposing of certain Department of Transportation (DOT) surplus rail and ferry equipment, as designated by DOT, by live public auction and via live simulcast or electronic means in accordance with subsection (b) of this section without requiring the movement of DOT surplus property. The DOT shall cooperate with the State agency for State surplus property and the auctioneer selected pursuant to this method. In implementing this method, the State agency for State surplus property shall prepare a request for proposal pursuant to subsection (b) of this section for a public auction conducted by a private licensed auctioneer.

SECTION 20.16.(b) By July 1, 2022, the State agency for State surplus property shall issue a request for proposal (RFP) for the sale of certain pieces of DOT surplus rail and ferry equipment at live public auction and via live simulcast or other electronic means without requiring surplus rail or ferry equipment movement to a centralized auction location. The State agency for State surplus property shall consult with the DOT Rail Division to determine the live public auction locations based on surplus rail equipment storage locations and shall consult with the DOT Ferry Division to determine the live public auction locations based upon surplus ferry equipment storage locations. The DOT shall provide any records of maintenance or work completed since acquisition by DOT for inspection prior to auction. The State agency for State surplus property shall consult with the DOT Rail Division, or the DOT Ferry Division, as appropriate, to further determine (i) adequate staffing requirements to work with the auctioneer in conducting an auction, including staff who are knowledgeable about the respective surplus equipment, (ii) adequate arrangements to allow for the auctioneer to document by photograph or video, as appropriate, the respective surplus equipment for auction, and (iii) adequate arrangements to allow interested buyers access to DOT storage locations to inspect and view the surplus equipment to be auctioned. Net proceeds of the auction for surplus rail equipment shall

be credited to the Rail Equipment Overhaul Fund, and net proceeds of the auction for surplus ferry equipment shall be credited to the Ferry Systemwide Fund Code. The RFP shall contain the following auctioneer requirements:

(1) Must accept payment by any commercially reasonable manner. The auction company may charge credit card and platform fees of up to three percent (3%) of the highest and final bid.

(2) Must have capability to conduct auctions via live simulcast or other electronic means in conjunction with conducting live auctions.

(3) Must have capability to electronically document, via photographs and video, as appropriate, surplus property, equipment, and motor vehicles and make information electronically available for inspection prior to an auction.

(4) Must remit the net proceeds from the auction to the DOT within 14 business days after the auction is completed. The auction company may offset up to one-fourth of one percent (0.25%) of the gross sale for advertisement cost reimbursement.

(5) Must post a cash bond or equivalent guarantee in the amount of two hundred fifty thousand dollars ($250,000), made payable to the State of North Carolina.

(6) Must have a minimum coverage of two million dollars ($2,000,000) in commercial general liability insurance.

(7) Must agree to charge no commission to the State. The auction company may charge a buyer premium, not to exceed ten percent (10%) to the final and highest bid.

(8) Must be a licensed auction company with a current and valid North Carolina Auctioneer license issued pursuant to Chapter 85B of the General Statutes. Preference shall be given to an auction company based in this State.

(9) Must require that successful bidders provide and complete proper transfer documents for titled equipment or motor vehicles.

(10) Must be capable of conducting live simulcast public auctions in regions as agreed upon by the DOT.

(11) Must have the capability to acquire and complete, for access to the equipment storage locations, the following:

a. For rail equipment, railroad safety training for all staff participating in the auctions, as recommended or required by DOT Rail Division.

b. For ferry equipment, ferry safety training for all staff participating in the auctions, as recommended or required by DOT Ferry Division.

SECTION 20.16.(c) By August 1, 2022, the State agency for State surplus property shall review the proposals submitted and shall enter into a contract with the lowest responsible bidder who provides evidence satisfactory to the State agency for State surplus property that it meets the requirements of the RFP.

SECTION 20.16.(d) No later than June 1, 2023, the State agency for State surplus property shall report to the Joint Legislative Transportation Oversight Committee the results of the auction.

LEAGUE OF MUNICIPALITIES FINANCIAL SOFTWARE AND ASSISTANCE

SECTION 20.17. Notwithstanding any provision of S.L. 2021-180 or the Committee Report described in Section 43.2 of that act to the contrary, the sum of fifteen million dollars ($15,000,000) in nonrecurring funds appropriated in S.L. 2021-180 to the North Carolina League of Municipalities for audit software shall not be used for that purpose but shall instead be used for financial software and assistance programs for units of local government for expenses related to the COVID-19 pandemic.

PART XXI. MISCELLANEOUS

SEVERABILITY

SECTION 21.1. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end, the provisions of this act are severable.

OSBM/RECERTIFICATION OF 2021-2022 FISCAL YEAR BUDGET

SECTION 21.2. In accordance with G.S. 143C-6-1, the Director of the Budget shall recertify the budget for the 2021-2023 fiscal biennium to reflect any change set forth in this act to the total requirements, receipts, or net appropriations for a budget code. For purposes of this section, the term "Director of the Budget" has the same meaning as the term "Director" in G.S. 143C-1-1.

EFFECTIVE DATE

SECTION 21.3. Except as otherwise provided, this act is effective July 1, 2021.

In the General Assembly read three times and ratified this the 11th day of March, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 4:18 p.m. this 17th day of March, 2022